

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,	*	
Plaintiffs,	*	
	*	
v.	*	No. SA-20-CV-46-OG
	*	
RUTH HUGHS, et al.,	*	
Defendant.	*	

VIDEOTAPED VIDEOCONFERENCED

ORAL DEPOSITION

OF

THE DEMOCRATIC CONGRESSIONAL

CAMPAIGN COMMITTEE REPRESENTATIVE,

JACQUELINE NEWMAN

Tuesday, April 28, 2020

VIDEOTAPED VIDEOCONFERENCED DEPOSITION OF
JACQUELINE NEWMAN, produced as a witness at the instance
of the Defendant, and duly sworn, was taken in the
above-styled and numbered cause on Tuesday, April 28,
2020, from 10:09 a.m. to 2:05 p.m. Central Time, before
Debbie D. Cunningham, CSR, in and for the State of
Texas, remotely reported via Machine Shorthand, pursuant
to the Federal Rules of Civil Procedure.

--ooOoo--

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--ooOoo--

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(Tuesday, April 28, 2020, 10:10 a.m.)

P R O C E E D I N G S

THE REPORTER: Today is April 28th, 2020.

This is the deposition of the Corporate Representative of DCCC, Jacqueline Newman, in the matter of Jarrod Stringer, et al. versus Ruth R. Hughs, et al. We are situated remotely and are on the record at 10:09 a.m., Central Standard Time.

My name is Debbie Cunningham, and my business address is P.O. Box, Manchaca, Texas 78652.

Would all persons present please introduce themselves for the record?

MR. HILTON: Chris Hilton for the Defendants.

MS. BRANCH: Aria Branch for the Plaintiff Intervenor DCCC. That's "D" and then three "Cs."

MS. BRAILEY: Emily Brailey, also for the Plaintiff Intervenor, DCCC.

THE WITNESS: Jacqueline Newman with the DCCC.

*

*

*

JACQUELINE NEWMAN,

1 having taken an oath to tell the truth, the whole truth,
2 and nothing but the truth, was examined and testified as
3 follows:

4 EXAMINATION

5 BY MR. HILTON:

6 Q. Good morning, Ms. Newman.

7 A. Hi.

8 Q. Could you please state and spell your name one
9 more time for the record?

10 A. Sure. It's Jacqueline Newman,
11 J-A-C-Q-U-E-L-I-N-E N-E-W-M-A-N.

12 Q. And you're here on behalf of DCCC to testify
13 as their representative today, right?

14 A. I am.

15 Q. Before starting to prepare for this, I
16 truthfully didn't know a whole lot about the DCCC and
17 what it does. I think I'm still pretty murky on the
18 details, and I'm hoping you can explain for me so I can
19 kind of understand more today. Can you just start me
20 off with kind of an overview about what the DCCC is,
21 what its purpose is, what it does?

22 A. Sure. The DCCC is the national party tasked
23 with electing Democrats to the U.S. House of
24 Representatives.

25 Q. You said it's a party?

1 A. Yes.

2 Q. Is it separate from, like, the Democratic
3 Party; or how does that work?

4 A. Yes. I mean, we are part of the Democratic
5 Party. We are separate from the Democratic National
6 Committee, which is often what people think of when they
7 think of the National Democratic Party.

8 Q. So you're separate from the Democratic
9 National Committee. Is it a subordinate role, is it a
10 partnership; or what's the relationship there?

11 A. I would say we're affiliated, but we are
12 not -- we are not interlinked in any way. And we are
13 also not their subordinate.

14 Q. Okay. And, I mean, I just didn't know. Do
15 you have a separate Party platform, or how does that
16 work?

17 A. Yes, I mean, we don't necessarily have a
18 platform as the DCCC.

19 Q. Okay. And why is that?

20 A. That's just not something we set out to do.

21 Q. So what do you set out to do? I mean, is it
22 primarily fundraising; or just what is, you know?

23 A. We -- again, we're trying to elect Democrats
24 to the U.S. House of Representatives; and so we support
25 campaigns in a variety of ways and functions.

1 Q. Okay. Well, we'll go through some of the
2 details of some of that later. I guess I would like to
3 start, also, with understanding a little bit more about
4 you and your background. So you're currently employed
5 by the DCCC; is that right?

6 A. I am.

7 Q. And what's your role?

8 A. I'm the Deputy Executive Director and Chief
9 Operating Officer.

10 Q. Okay. And what are the responsibilities for
11 those roles?

12 A. I oversee all the administrative and
13 operations functions for the building -- or for the
14 committee, that includes the building itself, our Human
15 Resources functions, our budgets, our legal activity,
16 just making sure everything is functioning as it should.

17 Q. How many employees does DCCC have?

18 A. Right now we are roughly at about 265
19 employees.

20 Q. So these are folks that receive a paycheck
21 from DCCC?

22 A. Yes.

23 Q. And where are they located, and what kind of
24 work do they engage in? I'm trying to get a sense of,
25 you know, who's out there.

1 A. Sure. They -- our employees are located
2 across the country. The majority are based in DC. We
3 have several employees that are on the ground in Texas
4 as it relates to this case.

5 **Q. Uh-huh. And as far as your job, Deputy**
6 **Executive Director -- did I get that right?**

7 A. Yes.

8 **Q. How long have you had that role?**

9 A. I think I've had this title since September.
10 I've been with the committee in some fashion since 2014,
11 and I was previously with the committee in 2012.

12 **Q. And what about the COO title, how long have**
13 **you had that?**

14 A. About two and a half years.

15 **Q. Okay. Who -- what's the reporting -- what's,**
16 **I guess, the leadership structure? You're the Deputy**
17 **Executive Director, so I assume you report to an**
18 **Executive Director. Is there anyone else you report to,**
19 **other folks that report to you? Can you give me a sense**
20 **of that?**

21 A. Yes, you're right. There's an Executive
22 Director who oversees all the day-to-day functions of
23 the committee; and then we also have a Chair of the
24 committee, Congresswoman Cheri Bustos.

25 **Q. Anyone else that you report to?**

1 A. No.

2 **Q. And then who reports to you?**

3 A. I have a team below me, a Chief Administrative
4 Officer, IT Director.

5 **Q. Is that it, there's two people that report to**
6 **you?**

7 A. Oh, I'm sorry. Then there's some junior-level
8 staffers below them who are kind of the senior team and
9 then HR and Administration Manager.

10 **Q. Okay. How many people would you say report to**
11 **you directly?**

12 A. I think it's about eight or nine people.

13 **Q. Okay. Are there any other deputy executive**
14 **directors, or are you the only one? Like, a lot of**
15 **agencies have, like, multiple deputy commissioners in**
16 **charge of certain things.**

17 A. Sure. There are two other deputy executive
18 directors.

19 **Q. What are their names, and what are their**
20 **responsibilities?**

21 A. One is Ryan Hedgepeth, and he is our Deputy
22 Executive Director for Member Engagement. He works
23 directly with members of our caucus, members of
24 Congress. And Mike Smith is also a Deputy Executive
25 Director, and he oversees our fundraising operations.

1 **Q. Has there been any change to that structure in**
2 **the time that you've been with the DCCC?**

3 A. The Deputy Executive Director structure?

4 **Q. Yes, yeah.**

5 A. Yes, there has.

6 **Q. So what were the changes and when did they**
7 **occur, again, just kind of focusing on this top-level**
8 **structure?**

9 A. Sure. So I'm sorry. Could you -- did you say
10 this year or during my entire time at the DCCC?

11 **Q. Just since you've been at DCCC.**

12 A. Sure. So each cycle, which is a two-year
13 election period, the DCCC goes through the process of --
14 at one point it was appointing and now it's electing a
15 Chair of the committee. And each Chair that comes in is
16 able to kind of re-image the structure as they see
17 necessary in order to carry out their goals for the
18 cycle. And so with that, I would say each cycle there
19 has been a slightly different leadership structure.

20 **Q. Can you give me some examples, maybe? Maybe**
21 **if it changes every two years regularly, we don't have**
22 **to go through every one; but if you could, kind of give**
23 **me a sense of what type of changes that there are.**

24 A. Sure. So usually -- I think in the past few
25 cycles there has been a Deputy Executive Director, at

1 least one or a few. And last cycle there was one Deputy
2 Executive Director, and they reported to the Executive
3 Director. In other cycles there have been a few deputy
4 executive directors that kind of oversee a few key
5 functions of the building and then report back to the
6 Executive Director. Again, it just kind of depends on
7 the Executive Director and the Chair at the time.

8 **Q. How are the Executive Director and the Chair**
9 **chosen?**

10 A. Currently -- and this is a somewhat recent
11 change -- the Chair of the committee is elected by the
12 Democratic Caucus, and the Executive Director is hired
13 by the Chair.

14 **Q. Okay. And so you've been with DCCC since 2014**
15 **and then another stint before then. Is it typical to**
16 **have a long tenure, you know, for employees to be**
17 **tenured that length of time; or is there a lot of**
18 **turnover with these two-year cycles?**

19 A. Yeah, it's definitely more common that people
20 work a cycle and then they move on to another
21 opportunity. There's a lot of turnover usually.

22 **Q. Is some of that top down? I mean, does the**
23 **Executive Director bring in their own people every year**
24 **or...**

25 A. No. I think it's more just the nature of

1 campaigns that every two years people are moving on to
2 something else. I think you would see -- and this
3 partially explains why I've been here longer than most
4 people, but the administrative functions are the people
5 who tend to stay cycle to cycle. And the people who
6 work kind of in different parts of the committee are
7 often moving on to other campaigns or other
8 organizations.

9 **Q. So that would be more typical of the folks who**
10 **do the fundraising or the -- I forget how you put it --**
11 **the direct interfacing with the caucus members?**

12 A. Yes.

13 **Q. Okay. You've been here, you know, at DCCC**
14 **quite a while. I take it you enjoy your job?**

15 A. I do.

16 **Q. What do you enjoy about your job?**

17 A. I think the work we do is important, and I
18 like the values we represent.

19 **Q. Okay. What values?**

20 A. I think electing Democrats to the U.S. House
21 of Representatives -- you know, the House, I think,
22 impacts a lot of change within this country; and it's
23 important that we expand and protect our majority.

24 **Q. You've mentioned that a couple of times**
25 **already and we're going to talk -- you know, one of the**

1 missions of DCCC and we're going to talk more about that
2 throughout; but is that the best statement of the
3 mission, to elect Democrats?

4 A. Definitely.

5 Q. Is there any other component of that, or is
6 that really what it's all about?

7 A. I think everything ties back to electing
8 Democrats.

9 Q. Okay.

10 MR. HILTON: I'm going to send out
11 through the chat what's actually -- I'm going a little
12 out of order. I kind of prenumbered some of these. So
13 I'm going to send out Exhibit 5 now, and then we'll come
14 back to the other ones.

15 (Exhibit 5 discussed.)

16 Q (BY MR. HILTON) So let me know if you're able
17 to access Exhibit 5; and once you've had a chance to
18 pull it up and review it, let me know.

19 A. Okay. I have it open.

20 Q. Is that your LinkedIn page, at least part of
21 it?

22 A. Yes.

23 Q. And I should say -- I forgot to mention this
24 before -- other than the documents that I send you and
25 then the Bates numbered documents that your counsel

1 provided to you that were the DCCC's production, do you
2 have any other documents in front of you, with you? Are
3 you referring to any other documents?

4 A. No, I don't.

5 Q. Okay. I'll ask for you to continue not to do
6 that; and if you do refer to another document, please
7 let me know. And I think the same thing goes with
8 talking to other people, including by e-mail, text, you
9 know, anything like that. Please refrain from doing
10 that, you know, until the deposition is over. And if
11 you do do that, I'd ask that you please, you know, let
12 me know.

13 All right. So turning to Exhibit 5,
14 which is at least a portion of your LinkedIn page, it
15 has employment history for you going back to May 2008.
16 I was kind of hoping you could walk me through each of
17 these positions, starting with May 2008, and explain to
18 me -- obviously, we don't have to go into a huge amount
19 of detail for all of these; but if you could, explain to
20 me just kind of generally what the company was or what
21 the organization was, what your role was, and kind of
22 give me a sense of the evolution of your career. That's
23 my goal here.

24 So if you could just kind of start from
25 GIS Specialist at the Timmons Group and work your way

1 through, I think that's the most efficient way to go
2 about it.

3 A. Okay. Sure. So in 2008 I worked with the
4 Timmons Group, which is an engineering firm. I was a
5 GIS Specialist at the time, Geographic Information
6 Systems.

7 Q. What is a Geographic Information System?

8 A. It's like a lot of building kind of digital
9 maps. That's what I did, usually, for local governments
10 that were hoping to convert to a modern era, if you
11 will.

12 Q. In what sense?

13 A. Like, the work I did was taking, like, paper
14 documents, land parcels, and I was digitizing them.

15 Q. Oh, I see. So any kind of, you know, records
16 or whatever, just trying to make it into a modern
17 electronically-accessible system?

18 A. Yeah, yeah, basically.

19 Q. Got it. Any particular projects that stand
20 out from that time? I don't mean to make you go all the
21 way back through your career.

22 A. Oh, sure. No, no. So most of the work I
23 specialized in, we worked with a lot of rural, I guess,
24 counties and locations; and they were in the process of
25 trying to basically get up and running a system that --

1 where people in their location can call 9-1-1 and it
2 would be linked to their home, which I think is
3 something that, especially in urban and suburban areas,
4 people take for granted that you call 9-1-1 and they
5 know where you're calling from. So that required
6 digitizing all of the maps and then linking each, like,
7 land parcel to the phone information we had for people
8 living there. That was the majority of the work I did
9 at Timmons.

10 Q. Okay. And I'm sorry to dwell on this, but it
11 looks like your career kind of takes a more political --
12 or politically-oriented turn from here. Did you do any
13 political type work or redistricting or anything like
14 that when you were with Timmons Group?

15 A. I didn't do any political work with Timmons.
16 I was involved through my school; and while I was
17 working at Timmons, I took on a side project, which is a
18 strong majority the role I did above it. And so I was
19 kind of doing that in my spare time.

20 Q. All right. Well, I know I asked you to just
21 kind of walk me through this and let you explain it; and
22 then I immediately interrupted you. So sorry about
23 that, but maybe you can pick it up from there and
24 continue to walk me through the rest of your career.

25 A. Sure. So for a strong majority, I was their

1 Compliance Director. I basically oversaw their
2 bookkeeping and was responsible for accounting and
3 reporting through the Virginia State Board of Elections,
4 just maintaining their compliance.

5 And then I found myself in Indiana, where
6 I was hired as the Deputy Director of Compliance and
7 Operations; and in that role -- you will sense a theme
8 here -- but I oversaw the HR, the operations and the
9 bookkeeping budgets and compliance for the Indiana
10 Democratic Party.

11 Q. And I'm sorry to interrupt you one more time,
12 at least. I should have started with this, but I
13 forgot. What was your -- what education did you have
14 that led you into all these roles? Like, I think you
15 mentioned you were still in school when you started with
16 Timmons. Now, what were you in school for? What
17 degree, if any, did you attain?

18 A. Sure. I went to school, and I received a
19 bachelor's degree in geography.

20 Q. And I know as a component of that, there's a
21 lot of, you know, technical and software and all sorts
22 of stuff like that that kind of led you to be able to do
23 the more technical side of things that you're doing?

24 A. Yes.

25 Q. Okay. All right. I interrupted you again.

1 **I'm sorry. Let's try it again.**

2 A. No problem. So I was in Indiana briefly. I
3 stayed through the end of the election cycle and moved
4 back to Virginia. In April of 2011 I started with
5 Protect Your Care and Know Your Care as their Director
6 of Operations. Again, I kind of oversaw the budget
7 aspects, the compliance, HR. After --

8 **Q. I'm sorry. What is that group?**

9 A. It was a 501(c)(3) and (c)(4) organized around
10 educating people on Obamacare --

11 **Q. Okay.**

12 A. -- and the Affordable Care Act.

13 **Q. Okay.**

14 A. In 2012 I took a job with the DCCC as their
15 Director of Operations on their 2012 Independent
16 Expenditure Program; and in that role, I managed the
17 administrative functions for the IE, which is a large
18 paid media campaign.

19 **Q. And when you say a paid media campaign, can**
20 **you elaborate a little bit on that?**

21 A. Sure. It's mostly a bunch of TV ads that the
22 DCCC puts out.

23 **Q. And what was the nature of the ads? What was**
24 **the purpose?**

25 A. To elect Democrats to the U.S. House.

1 **Q. Anywhere in particular? Any particular type**
2 **of ad; or was it just, you know, all House members?**

3 A. It was certainly focused in our targeted
4 races. I don't know how much that was off the top of my
5 head; but I would say, ballpark, it probably covered
6 about 30 races across the country.

7 **Q. And -- okay. I think that's enough for now.**
8 **I'll let you continue.**

9 A. Following 2012 I took a job with Terry
10 McAuliffe's campaign for governor in Virginia; and I
11 operated largely in the same capacity for that roll,
12 overseeing all the operations functions, HR, budgets,
13 legal.

14 **Q. Was that a successful campaign?**

15 A. It was a successful campaign.

16 **Q. He's still governor, right? Did he get re-**
17 **elected since then or...**

18 A. He is not still governor --

19 **Q. Oh, okay.**

20 A. -- but he is always around.

21 **Q. Okay.**

22 A. So you feel like he's still governor.

23 And then, following his successful
24 campaign, after his inauguration I returned to the DCCC
25 as Deputy Chief Operating Officer and over the years

1 have slowly progressed.

2 Q. You've stayed around and stayed in a couple
3 different roles, and I know how it goes when you stay at
4 a place for a long time.

5 I guess the only other one I wanted to
6 ask you about specifically was Interim Executive
7 Director from July of 2019 to September 2019. How did
8 you come to have that role, and the way you're
9 describing -- I guess my other question is, as your
10 primary viewpoint, you know, if it goes in two-year
11 election cycles, is that a down period since the 2018
12 election had just been over?

13 What was -- I guess I was saying all of
14 that to say -- I'll give you an actual question that you
15 can answer. How did you come to get that role, what did
16 you do during that period, and how did that relate to
17 the cyclical nature of DCCC's work?

18 A. Sure. So we had a leadership transition in
19 the middle of our cycle this year, which actually isn't
20 common. Usually an Executive Director would be hired in
21 December or January and stay for two years or longer in
22 some cases. So there was a leadership transition. In
23 that moment I stepped up to be the Interim Executive
24 Director, and largely I ran the entire process to find a
25 permanent Executive Director.

1 Q. And you say there was a leadership transition.
2 I'm assuming that someone had signed up to do the role
3 and then moved on to take another opportunity
4 unexpectedly?

5 A. Yes.

6 Q. Okay. And you may have mentioned this. I
7 just don't recall. Where did you say you went to, got
8 your bachelor's?

9 A. I went to the University of Mary Washington in
10 Fredericksburg, Virginia.

11 Q. Well, I appreciate all that. It's always
12 helpful to know. Even though you're a representative on
13 DCCC's behalf, it's extremely helpful to know your
14 perspective, your background, and your expertise. So I
15 appreciate you walking me through that. I know talking
16 about the full length of one's career is not necessarily
17 the most exciting, but I appreciate it.

18 I would like to turn now to talk a little
19 bit about how you -- you know, about the depo itself and
20 how you prepared for this deposition today. So I guess
21 start there. What did you do to prepare for the
22 deposition today?

23 A. Sure. Well, I discussed with my counsel. I
24 reviewed the Complaint that we had filed and reviewed
25 the Deposition Notice topics. I also reviewed a

1 declaration that a member of my team had submitted in
2 response to this.

3 **Q. Any other documents?**

4 A. I gathered information related to the
5 deposition topics, but that was it.

6 **Q. How did you gather information?**

7 A. I guess searching through DCCC documents.

8 **Q. Okay. Did you search through e-mails or some**
9 **other source of documents?**

10 A. I think mostly just documents that are on our
11 drive, like on --

12 **Q. Did you use search terms, or did you just**
13 **browse through them?**

14 MS. BRANCH: I want to just object to the
15 extent that it calls for attorney-client privileged
16 information.

17 But you can answer as long as you're not
18 revealing any of the content of our conversations.

19 **Q. (BY MR. HILTON) Yeah. And particularly in**
20 **this prep area it gets kind of close to that. I am not**
21 **asking you for content of any conversations with your**
22 **attorneys. So please do not provide that information.**
23 **I don't want it. It is privileged, so.**

24 All right. So you said that you were
25 just browsing through files, I guess, based on your

1 knowledge and familiarity with the files of the
2 organization?

3 A. Yes, that's correct.

4 Q. Did you speak to anyone other than your
5 attorneys?

6 A. Just our -- yes, with our attorneys.

7 Q. But no other employees of DCCC or anyone else
8 other than your attorneys?

9 A. Right.

10 (Exhibit 1 discussed.)

11 Q. (BY MR. HILTON) Okay. I'd like to turn to
12 Exhibit 1, which I had sent out previously via the Zoom
13 chat. And do you recognize Exhibit 1?

14 A. Yes.

15 Q. And what is it?

16 A. These are the deposition topics you sent in a
17 Notice for this role.

18 Q. Right. And so let's turn to page 5 of
19 Exhibit 1. The heading is 30(b)(6) Corporate
20 Representative Deposition Topics?

21 A. Yes.

22 Q. Are you prepared to testify as to all these
23 topics today?

24 A. I am.

25 Q. And then I'd like to go to page 6. The

1 heading is Attachment B. These are the document
2 requests that we sent in connection with this Notice; is
3 that right?

4 A. Yes.

5 Q. And it sounds like you searched for documents
6 that were responsive to these requests?

7 A. I worked with my counsel on this.

8 Q. Okay. Did DCCC produce documents responsive
9 to these requests?

10 A. Yes.

11 Q. So did DCCC comply with these requests?

12 A. Yes.

13 (Exhibit 2 discussed.)

14 Q. (BY MR. HILTON) Okay. The next one is going
15 to be Exhibit 2, which, hopefully, is the Complaint in
16 this matter.

17 A. Yes.

18 Q. So you have Exhibit 2 in front of you?

19 A. I do.

20 Q. And have you seen this document before?

21 A. I have.

22 Q. Did you review it before it was filed?

23 A. Yes.

24 Q. How much time did you spend reviewing it,
25 before it was filed, I mean?

1 A. Before it was filed?

2 Q. Yes.

3 A. Probably -- to be clear, you mean the
4 Complaint itself or in preparation for the Complaint?

5 Q. I'm breaking it into two parts. So the first
6 part is: How much time did you spend reviewing the
7 Complaint before it was filed? And then the next part
8 will be: Did you review it again for this deposition,
9 and how much time did you spend reviewing it?

10 A. I probably spent about 30 minutes reviewing
11 the Complaint before it was filed.

12 Q. Okay. And you said you reviewed it again to
13 prepare for the deposition today. How much time did you
14 spend then?

15 A. Probably about an hour.

16 Q. Okay. I'm going to send out the next exhibit,
17 Exhibit 3, hopefully.

18 (Exhibit 3 discussed.)

19 A. Okay.

20 Q (BY MR. HILTON) Do you recognize what I'm
21 marking as Exhibit 3 to the deposition? It says
22 Exhibit B on the first page of it, but I'm going to
23 refer to it as Exhibit 3.

24 A. Yes.

25 Q. Okay. And what is Exhibit 3?

1 A. This is a Declaration from Alexander Edelman
2 in support of the Plaintiff's motion.

3 **Q. Who is he?**

4 A. He's DCCC's National Field Director.

5 **Q. Do you know Mr. Edelman?**

6 A. I do.

7 **Q. And how do you know him?**

8 A. He's my colleague at the DCCC.

9 **Q. And can you describe exactly what a National**
10 **Field Director does?**

11 A. Sure. The National Field Director oversees
12 the entire field program for the DCCC.

13 **Q. What is a field program?**

14 MS. BRANCH: I'm going to object to the
15 extent that this calls for information that would be
16 protected by the First Amendment.

17 But you may answer at a high level.

18 A. Sure. Our field program is geared at
19 mobilizing and persuading voters, usually directly on
20 the ground in our targeted districts.

21 **Q. (BY MR. HILTON) And how does the field**
22 **program go about accomplishing that?**

23 A. We usually work with coordinated campaigns,
24 which is a collaboration between national parties and
25 state parties to elect Democrats up and down the ballot.

1 So in Texas we work with the Texas Democratic Party,
2 along with the other national party committees and, you
3 know, each state sometimes looks a little bit different;
4 but usually we are running Get-Out-the-Vote programs,
5 voter registration programs, engaging our voters
6 directly on the ground through canvasses.

7 Q. And how does the DCCC's support for that kind
8 of program play out in practice? I mean, I guess, is it
9 just providing funding? Do you provide manpower as
10 well, or what other resources do you provide?

11 A. Yeah, so it's all of the above. We provide
12 funding. We transfer money to the State Party to be
13 used for the Coordinated Campaign. We also have our own
14 direct investments in people on the ground in some
15 cases. In Texas, for example, we have four offices
16 opened; and we have staff in those offices.

17 Q. All right. Well, I'm getting a little ahead
18 of myself. We'll get into more details of that later,
19 but I realize I forgot to ask: You said -- you
20 mentioned you reviewed a declaration in connection with
21 this matter to prepare for the deposition today. Was
22 this the declaration you were referring to?

23 A. Yes, it was.

24 Q. All right. So we'll leave that to the side
25 for now and come back to it.

(Exhibit 4 discussed.)

Q. (BY MR. HILTON) The next group of documents that I'm going to designate as Exhibit 4 to the deposition is going to be the DCCC's production in response to our subpoena duces tecum. So that's Bates Numbers DCCC 000001 through 805. Do you have those documents available to you?

A. Yes, I do.

Q. And are you familiar with those documents?

A. I am.

Q. Okay. Did you review all of them before the deposition today?

A. Yes.

Q. How much time did you spend reviewing them?

A. Probably about an hour.

Q. Who gathered these documents?

MS. BRANCH: I'm going to object to the extent that this calls for conversations between attorney and client or attorney work product.

MR. HILTON: It does not. I'm asking for an identity of the person who collected the documents.

MS. BRANCH: You can answer that, Jacqui.

A. This specific group of documents?

Q (BY MR. HILTON) Yeah, Bates Number 1 through 805, the entire production.

1 A. These came from my counsel.

2 **Q. But who collected them?**

3 A. Initially in this process?

4 **Q. Yeah, who at DCCC gathered the documents for**
5 **production?**

6 A. Staff. And, I mean, I think several people
7 collected documents related to this production based
8 on -- based on the request and the search terms guided
9 by our counsel.

10 **Q. What were the search terms?**

11 MS. BRANCH: Objection, attorney-client
12 privilege.

13 **Q. (BY MR. HILTON) You can answer.**

14 MS. BRANCH: I'm instructing you not to
15 answer that.

16 It's clearly search terms that we worked
17 with them and communicated with them to find the
18 documents. If there's specific documents you want to
19 ask about, I think we can do that; but...

20 MR. HILTON: I would like to know the
21 search terms. Will you provide them to me, Aria?

22 MS. BRANCH: We can talk off the record
23 about that.

24 MR. HILTON: I would like an answer now
25 because I feel like I'm entitled to what the search

1 terms are.

2 MS. BRANCH: I don't have them in front
3 of me, but we can discuss that. They are search terms
4 that were created based on the subpoena.

5 MR. HILTON: I just want to know if
6 you'll give me the search terms later.

7 MS. BRANCH: And I'm happy to discuss
8 that.

9 Q. (BY MR. HILTON) I'm sorry. I feel like I
10 have to ask my question again, Ms. Newman. What were
11 the search terms that were used?

12 MS. BRANCH: And I'm going to assert the
13 same objection and instruct the witness not to answer.

14 Q (BY MR. HILTON) Are you going to abide by
15 that instruction?

16 A. Yes, I am.

17 Q. Do you know what the search terms are?

18 A. Not off the top of my head.

19 Q. Did you at one point know what they were?

20 A. Yes.

21 Q. Did you refer to something else and refresh
22 your memory as to what the search terms are?

23 A. I could refer to my conversations with my
24 counsel.

25 Q. So you could give me the search terms if you

1 **were required to do so?**

2 MS. BRANCH: They're privileged.

3 MR. HILTON: I understand that that's
4 your assertion. I disagree with that assertion. And
5 I'm trying to question the witness, and you cannot
6 answer for the witness.

7 **Q. (BY MR. HILTON) So, Ms. Newman, if you were**
8 **required to tell me what the search terms are by a Court**
9 **or someone else, would you be able to do so?**

10 A. I believe I could.

11 **Q. Okay. Who ran the search terms?**

12 A. A combination of our staff and our IT
13 Director.

14 **Q. And you mentioned earlier as well that several**
15 **people assisted in gathering the documents. Did I**
16 **understand your testimony correctly?**

17 A. Yes.

18 **Q. What are the names of each person who assisted**
19 **in gathering these documents?**

20 A. I don't know that information. I would have
21 to check.

22 MR. HILTON: Aria, will you provide me
23 that information?

24 MS. BRANCH: Again, I think this calls
25 for privileged information and that these are

1 discussions that we, the attorneys, had with staff at
2 the DCCC to advise them on how to respond to the
3 subpoena.

4 MR. HILTON: I'm not asking about the
5 discussions. I'm asking for the identity of the
6 individuals who ran the search terms and collected the
7 documents. I believe your document production is
8 insufficient. I'm entitled to understand what you did
9 to produce these documents, and I'm entitled to this
10 which is not privileged. So I'm going to ask --

11 MS. BRANCH: I think we can have that
12 conversation. I don't think that Jacqui knows; and I
13 also think that it infringes on the privilege, so.

14 Q (BY MR. HILTON) Well, Ms. Newman, do you know
15 the identities of the individuals who ran these search
16 terms?

17 A. It's a wide group, I think.

18 Q. Okay. Do you know the identity of those
19 individuals in that wide group?

20 A. I have it somewhere. I do not know right now.

21 Q. But you could get me that information if you
22 were required to do is?

23 A. I believe so.

24 Q. And you mentioned that several people helped
25 gather the documents. Were you referring to just

1 running the search terms, or was there some other way in
2 which documents were gathered?

3 MS. BRANCH: Again, I think this calls
4 for attorney-client privileged information in that it
5 goes to the communications we had on how to formulate
6 the search for documents.

7 Q. (BY MR. HILTON) I am not asking about the
8 content of any communication that you or anyone at DCCC
9 had with your counsel, Ms. Newman. I want to be very
10 clear about that. But I would like to know the method
11 by which these documents were gathered, and I want
12 clarity on your earlier testimony. Earlier you said
13 that several people helped gather the documents. Do I
14 have that correct?

15 A. Yes.

16 Q. And you also mentioned that there was a wide
17 group of people who ran search terms. Do I have that
18 correct?

19 A. I believe so. Like I said, I would have to
20 check.

21 Q. Okay. And I want to know: Is that the same
22 group you were referring to, or are there two different
23 groups of individuals that you're referring to in your
24 testimony?

25 MS. BRANCH: Same objection. I think

1 asked and answered. She's answered the question.

2 MR. HILTON: With respect, Aria, it has
3 not been answered. I want to understand who searched
4 for what and how, and I'm entitled to that information.

5 Q. (BY MR. HILTON) So Ms. Newman, who -- was
6 there another method of gathering documents other than
7 running search terms?

8 MS. BRANCH: Again, it's privileged. I
9 mean, these -- what you're asking -- I understand where
10 you're coming from, but what you're asking is asking for
11 the content of the communications we had with them in
12 terms of how to comply with the subpoena.

13 MR. HILTON: Can you read back my
14 question?

15 MS. BRANCH: I'm going to instruct the
16 witness not to answer, and I'm hopeful that we can maybe
17 move on to another topic.

18 MR. HILTON: Can you read back the
19 question, Debbie, that I asked? I'd like you to read
20 the question.

21 THE REPORTER: Yes.

22 (The requested material was read as
23 follows:

24 "QUESTION: Okay. And I want to know:
25 Is that the same group you were referring to, or are

1 there two different groups of individuals that you are
2 referring to in your testimony?")

3 MS. BRANCH: Objection, vague.

4 You may answer if you are able to.

5 A. I don't really understand the question.

6 **Q (BY MR. HILTON) Well, I don't really**
7 **understand your testimony. You said earlier that there**
8 **was a group of -- that there were several people who**
9 **gathered documents, correct? That's what you first**
10 **said?**

11 A. Well -- and I would like to clarify. We might
12 have asked several people. That does not mean several
13 people had documents to gather, and I do not know that
14 information right now.

15 **Q. All right. I'm going to ask you one more**
16 **time: Who collected the documents for DCCC?**

17 MS. BRANCH: Objection, asked and
18 answered.

19 You can repeat the same answer.

20 MR. HILTON: I would appreciate it, Aria,
21 if you didn't instruct your witness how to answer my
22 questions. Okay? That's a speaking objection. It's
23 not permitted. You can state the basis of your
24 objection, and you can either instruct her to answer or
25 not.

1 MS. BRANCH: I think I've done that now.

2 MR. HILTON: Debbie, can you please read
3 back my question?

4 (The requested material was read as
5 follows:

6 "QUESTION: I'm going to ask you one more
7 time: Who collected the documents for DCCC?")

8 A. We would have requested documents from a group
9 of staff and our IT Director.

10 **Q (BY MR. HILTON) What's the name of your IT**
11 **Director?**

12 MS. BRANCH: Objection.

13 MR. HILTON: What is the basis of your
14 objection?

15 MS. BRANCH: I think this is -- we're
16 getting into attorney-client privileged discussions in
17 terms of preparing for the -- for this.

18 **Q (BY MR. HILTON) Ms. Newman, my question is:**
19 **What is the name of DCCC's IT Director?**

20 A. David Winston.

21 MR. HILTON: I just want to, again, make
22 clear on the record that I think this document
23 production is insufficient. We're going to reserve all
24 rights to pursue whatever remedies we think we need to.

25 I'm asking questions that clearly are not

1 calling for any privileged information, and you're
2 instructing the witness not to answer. That's improper.
3 I believe I'm entitled to the answers to these questions
4 to understand whether this document collection effort
5 was sufficient. Clearly it was not.

6 Q (BY MR. HILTON) Ms. Newman, I apologize.
7 I've gotten a little heated during this part of the
8 questioning. I want you to understand I have no quarrel
9 with you whatsoever. I'm just trying to get the
10 information that I need to represent my clients. And so
11 I'm trying --

12 MS. BRANCH: And I'm happy -- sorry. I
13 didn't mean to cut you off.

14 MR. HILTON: Go ahead.

15 MS. BRANCH: Well, I'm happy to have, you
16 know, a further conversation about the document
17 production. I do think that several of the requests
18 infringe upon the First Amendment privilege. We've
19 produced documents responsive to the requests to the
20 extent they're not privileged. And the client has
21 stated that they undertook efforts to respond to the
22 subpoena.

23 If you want to meet and confer, have a
24 separate conversation about that, we can off the record.
25 It's probably not as fruitful to do with Ms. Newman,

1 given that she doesn't have vision over the entire
2 process. And I do think that some of the questions,
3 when you're talking about search terms, do infringe upon
4 communications that we've had with our client.

5 MR. HILTON: Sorry. Well, if you can
6 find a case that says the search terms are going to be
7 privileged in this context, I'd love to see it.

8 And I think Ms. Newman testified that she
9 could answer all these questions if you had properly
10 prepared her; and clearly, you didn't. So, anyway...

11 Q. (BY MR. HILTON) And, again, Ms. Newman,
12 that's no point against you. I just think your
13 counsel's not done what they should have done with
14 respect to the document production, but we'll move on.

15 MS. BRANCH: I think that she's prepared
16 for this deposition. She's prepared on the topics; and,
17 you know, we've produced her here to answer the
18 questions on the topics. And we produced documents
19 responsive to the extent that they were not privileged.

20 Q (BY MR. HILTON) Did you review any other
21 documents other than the ones that we've already
22 discussed today in preparation for your deposition,
23 Ms. Newman?

24 A. I don't believe so.

25 Q. Okay. You mentioned that you met with counsel

1 to prepare for this deposition, correct?

2 A. Yes.

3 Q. When?

4 MS. BRANCH: Just -- I'm going to just
5 assert the objection.

6 This particular question is not
7 privileged; but I just want to be clear, Jacqui, that
8 you don't have to disclose anything that we discussed.
9 But you may answer the question.

10 MR. HILTON: Ms. Branch, again, please
11 refrain from speaking objections. You just spoke
12 without an objection, and that's improper.

13 Q (BY MR. HILTON) Ms. Newman, when did you meet
14 with your attorneys?

15 MS. BRANCH: The objection, just for the
16 record, is attorney-client privilege.

17 But you may answer to the extent that
18 you're not disclosing our communications.

19 A. I met with counsel regarding this deposition
20 yesterday and last week.

21 Q. (BY MR. HILTON) So on two occasions?

22 A. Yes.

23 Q. How long were those meetings, again, without
24 disclosing the content?

25 A. I think roughly about an hour each.

1 **Q. Who was in attendance at those meetings?**

2 A. My counsel, Aria and Rachel.

3 **Q. And yourself. Anyone else?**

4 A. Yeah, myself. We met with another member of
5 my team, too, Alex Edelman.

6 **Q. That's the same person who signed that**
7 **Declaration that's Exhibit 3?**

8 A. Yes.

9 **Q. Okay.**

10 MR. HILTON: All right. I'd like to take
11 a short break if that's all right. I will need about
12 five minutes; but if y'all want to take a longer break,
13 that's fine.

14 THE WITNESS: Can we have ten minutes?

15 MR. HILTON: Sure.

16 THE WITNESS: Thank you.

17 THE REPORTER: Going off the record at
18 11:02 a.m.

19 (Off the record from 11:02 to 11:14 a.m.)

20 THE REPORTER: We're back on the record
21 at 11:14 a.m.

22 MR. HILTON: And as we've done in the
23 other depositions, I'm fine waiving the additional read-
24 on every time we go back on, as long as y'all are fine
25 with that.

1 MS. BRANCH: I'm good. Thank you.

2 Q. (BY MR. HILTON) Ms. Newman, I, again, just
3 wanted to, you know, apologize that you had to get
4 dragged into that discussion between counsel and I. I
5 hate to do that kind of stuff in depositions; sometimes
6 it happens. But just, you know, I'm going to try and
7 move on and get through the substance of what I have to
8 ask you about kind of as painlessly as possible as I
9 can.

10 You know, I just want to, again, make
11 clear that I'm not asking for you to reveal any
12 privileged information with any of my questions. Of
13 course, your counsel will instruct you or object, you
14 know, as necessary. But I just want to make that clear.
15 I'm not intending to ask for privileged information.

16 So I want to turn back to the DCCC and
17 just talking about the organization's background and
18 activities and that kind of thing. And I can't remember
19 if I asked you this or not before: When was the DCCC
20 first established?

21 A. It was established over 150 years ago. I
22 think it's 1866.

23 Q. Wow. And has its mission changed over time?

24 A. I don't believe so.

25 Q. But electing Democrats is the name of the game

1 since 1866?

2 A. I think that's about right.

3 Q. We talked a little bit earlier about the
4 relationship between DCCC and the DNC, and I kind of
5 want to explore similar issues in relation to an exhibit
6 that I just sent out in the Zoom chat. This is
7 something I found on the FEC's website. That's the
8 Federal Election Commission. Are you familiar with the
9 FEC?

10 A. Yes, I am.

11 Q. I would imagine that you would be.

12 (Exhibit 6 discussed.)

13 Q. (BY MR. HILTON) Do you have Exhibit 6 in
14 front of you?

15 A. Yes, I do.

16 Q. And do you recognize Exhibit 6?

17 A. Yes, I do.

18 Q. And what is it?

19 A. This is a Statement of Organization filed with
20 the FEC.

21 Q. And I guess before we dig into it, I'm
22 curious: Are you responsible for, you know, making sure
23 that the FEC filings get done?

24 A. I am not responsible for those.

25 Q. Who has that responsibility?

1 A. Our Chief Financial Officer.

2 Q. And who is that?

3 A. Jackie Forte-Mackay.

4 Q. Yeah, her name pops up on some of this stuff,
5 I think. She's on this one.

6 Are you familiar with FEC filings for the
7 DCCC?

8 A. Yes, I am.

9 Q. Do you review them before they get filed?

10 A. I do not.

11 Q. How are you familiar with them, then?

12 A. I have an awareness -- a top-line awareness of
13 our filings before they are filed; and if there's any
14 questions or concerns, sometimes I am a part of those
15 conversations.

16 Q. So just in the course of your job, you have
17 occasion to refer to them and work with them?

18 A. Yes.

19 Q. Did you review any FEC filings before the
20 deposition today?

21 A. I reviewed some of our FEC filings that show
22 our work in Texas.

23 Q. Which filings?

24 A. I believe Aria shared these with you; but,
25 basically, the money that we sent to the Texas

1 Democratic Party.

2 Q. Well, let's skip ahead so I don't lose the
3 thread of this. I'm going to send out what I'm marking
4 as Exhibit 8 to the deposition. This is an Excel
5 spreadsheet.

6 (Exhibit 8 discussed.)

7 Q (BY MR. HILTON) And this was, you know, my
8 attempt to export the data from the FEC link that your
9 counsel provided. So let me know once you have the
10 spreadsheet open.

11 A. Okay. I have this open.

12 Q. I hesitate to ask: Do you recognize what you
13 are looking at here in Exhibit 8?

14 A. Yes, I do.

15 Q. Okay. And what is this?

16 A. This appears to be a document showing
17 transfers from the Democratic -- or from the DCCC to the
18 Texas Democratic Party, dating back to 2014.

19 Q. Is this the FEC filings that you were
20 referring to when you said you reviewed some FEC
21 information prior to the deposition?

22 A. Yes, this looks like it.

23 Q. There's another version on the web page that
24 looks a little better. I prefer to use this version if
25 you can manage to work with it because this is the

1 version that you get when you export the data from the
2 FEC; but if it just becomes unworkable, we have that as
3 an option. And I can try to do a little screen share.
4 But, again, this is the data from the link that your
5 counsel provided to me last night; and is that what it
6 appears to be to you as well?

7 A. Yes.

8 Q. Okay. I think you already said that, but I
9 just wanted to make that clear.

10 Since we're here, I might as well ask you
11 the questions I have on this document. What information
12 can I glean about what the purpose of these funds was
13 from Exhibit 8?

14 MS. BRANCH: Objection, vague.

15 You may answer the question.

16 A. You can learn how much money we transferred to
17 the Texas Democratic Party and on what dates.

18 Q. (BY MR. HILTON) Can I learn what the funds
19 were for?

20 A. No.

21 Q. I can't learn which activities they supported?

22 MS. BRANCH: Objection.

23 A. No.

24 Q (BY MR. HILTON) Is there another document
25 that I could refer to that would allow me to determine

1 what these fund transfers were used for?

2 A. No.

3 Q. So no document exists that would allow me to
4 determine what any of these fund transfers were used for
5 in the possession of DCCC?

6 A. I mean, our internal budgets and plans may
7 share information -- or have information related to
8 these transfers.

9 Q. And were those documents produced?

10 MS. BRANCH: Objection. This is
11 attorney-client privilege, and you're asking questions
12 that call for information protected by the First
13 Amendment privilege.

14 Q. (BY MR. HILTON) I'm not intending to call for
15 privileged information. I just want to understand if
16 the documents that you were just referring to,
17 Ms. Newman, were included in the production which I've
18 marked as Exhibit 4 to this deposition, Bates Number
19 DCCC 1 through 805.

20 MS. BRANCH: And I think those documents
21 were privileged. So whatever she's referring to, that
22 would be the reason why they were not produced.

23 MR. HILTON: Ms. Branch, I'm sorry. I'd
24 like to hear the answer from the witness.

25 Q. (BY MR. HILTON) Ms. Newman, were those

1 documents that you were just referring to included in
2 Bates Number DCCC 1 through 805?

3 A. I'm not sure.

4 Q. Well, you have those documents in front of
5 you. If you want to look through that and see if
6 they're in there, you can do that.

7 A. Oh, sorry. They are not in Exhibit 4.

8 Q. Okay. So those documents that would show me
9 what activities these funds were spent on, those have
10 not been produced?

11 A. That's my understanding.

12 Q. Okay. And, again, I want you to be sure. You
13 have all the documents that were produced in front of
14 you. So I would kind of like a definitive answer to
15 that.

16 MS. BRANCH: Objection, asked and
17 answered.

18 A. I don't believe that they are included in that
19 document. They are strategic information and documents
20 related to our work.

21 Q (BY MR. HILTON) Okay. So they were not
22 produced?

23 A. Right.

24 Q. All right. I think we are done with
25 Exhibit 8.

1 Can we turn back to Exhibit 6, which is
2 where I think this digression started? Do you still
3 have that in front of you, Ms. Newman?

4 A. Yes, I do.

5 Q. Had you seen Exhibit -- when was the last time
6 you've seen Exhibit 6, or have you seen Exhibit 6
7 before?

8 A. Yes. It's probably been several months since
9 I've seen this.

10 Q. Okay. So you didn't review it to prepare for
11 the deposition?

12 A. I did not.

13 Q. And it has a list of what I'll refer to as
14 affiliated committees/organizations. And each of those
15 appear to have an affiliated relationship code that
16 describes them as a joint fundraising representative.
17 Do I have that about right?

18 A. Yes.

19 Q. And so can you explain to me what an
20 affiliated relationship code is and what a joint
21 fundraising representative is?

22 A. Again, I don't file these reports. So I'm not
23 deeply familiar, but I believe an affiliated
24 relationship code is an FEC term to qualify the
25 relationship here. And a joint -- and these are all

1 committees that we have joint fundraising committees
2 with.

3 **Q. Is that what joint fundraising representative**
4 **means? It means you do joint fundraising activities?**

5 A. Yes.

6 **Q. Which of these listed groups relates to**
7 **activities in Texas?**

8 A. The Blue Texas Fund is related to Texas. It
9 is possible the New Wave Women's Fund -- I believe that
10 also has a Texas connection.

11 **Q. Any others?**

12 A. I believe that's it. There's also a chance
13 the Red to Blue Victory Fund may have a connection to
14 Texas, but I'm not aware of that at this time.

15 **Q. Okay. So sitting here today, you don't know**
16 **for sure whether Red to Blue Victory Fund has a Texas**
17 **connection?**

18 A. Correct.

19 **Q. But Blue Texas Fund, I assume, does. And New**
20 **Wave Women, you also think has a Texas connection. Do I**
21 **have that about right?**

22 A. Yes.

23 **Q. Okay. Let's start with Blue Texas Fund. What**
24 **is it?**

25 A. This is a joint fundraising agreement with

1 campaigns in Texas.

2 **Q. Any campaigns in particular?**

3 A. I believe the Fletcher campaign in Texas 7 and
4 the Allred campaign in Texas 32.

5 **Q. Any others?**

6 A. I would need to confirm.

7 **Q. Do you know if that information is reflected**
8 **in any of the documents that were produced to us?**

9 A. Yes, I believe it is.

10 **Q. All right. I think -- I think that we will**
11 **get there later. So I think we can leave that for now.**

12 **But what activities does the Blue Texas**
13 **Fund engage in specifically?**

14 A. Fundraising.

15 **Q. And how is that conducted?**

16 A. I'm sorry. Could you repeat the question?

17 **Q. You said Blue Texas Fund, the only activity**
18 **you said was fundraising; is that right?**

19 A. Yes.

20 **Q. Okay. No other purpose for Blue Texas Fund?**
21 **Nothing else that it does?**

22 A. Correct.

23 **Q. And so how does Blue Texas Fund go about its**
24 **fundraising activities?**

25 MS. BRANCH: And I'm just going to object

1 to the extent that this calls for a legal conclusion
2 based on how joint fundraising works.

3 But you may answer to the extent that you
4 know.

5 A. It's mostly a direct mail fundraising
6 campaign.

7 Q (BY MR. HILTON) So sending mail solicitations
8 to people for donations?

9 A. Yes.

10 Q. And you said "mostly." Are you aware of any
11 other fundraising activities that the Blue Texas Fund
12 engages in?

13 A. No. I believe it's direct mail.

14 Q. And what's DCCC's involvement in those
15 activities?

16 A. We help facilitate the direct mail, the copy,
17 getting it out.

18 Q. I don't think I understand what you mean by
19 facilitate and help getting it out. Can you describe
20 that a little more specifically?

21 A. Sure.

22 MS. BRANCH: I'm going to object to the
23 extent that is calls for information privileged by the
24 First Amendment.

25 You may answer at a high level.

1 THE WITNESS: Sure.

2 A. We -- we work with, you know, whoever else is
3 in the fund and work on the creative printing and direct
4 mailing of the mail solicitations.

5 Q. (BY MR. HILTON) And when you say "work on,"
6 do you mean -- does that just mean you're providing
7 funds; or do you also provide actual, you know,
8 manpower, labor?

9 A. Actual manpower.

10 Q. I'm sorry. Go ahead.

11 A. Oh, no.

12 Q. And you said you worked with whoever else is
13 in the fund. Is that the two campaigns you referred to
14 earlier?

15 A. Yes.

16 Q. And then whoever else you can't recall, but
17 it's in the documents?

18 A. Yes.

19 Q. And the direct mail Blue Texas Fund engages
20 in, is that purely a solicitation for donations; or is
21 there anything else that these, you know, mailers are
22 trying to accomplish?

23 A. It's just for fundraising.

24 Q. Okay. Does Blue Texas Fund engage in any
25 voter registration efforts?

1 A. No.

2 Q. And how about New Wave Women, what is -- you
3 know, what is that?

4 A. It's very similar to the Blue Texas Fund
5 except it is a joint fundraising agreement highlighting
6 our frontline women candidates.

7 Q. And who is that fundraising agreement with?
8 Is it also with campaigns in Texas?

9 A. Again, I would need to check on who that
10 agreement is with. I believe it's broader than Texas.

11 Q. Understood. You did say that earlier. You're
12 right.

13 Do you know who the participants from
14 Texas in the New Wave Women group are?

15 A. Again, I would need to check.

16 Q. Is that in the document that was produced?

17 A. If it is related to Texas, I think it would be
18 in the production.

19 Q. I'm going to pull up a document that I had
20 prepared to talk about with you, and I want to see if
21 this is going to show me the information that we're kind
22 of circling around here. So I'm going to send it out
23 again through the group chat. This is a portion of
24 Exhibit 4, which is the document production that was
25 given to us. This is a file labeled DCCC 661. That's

1 the beginning Bates number. It's a two-page document.

2 Let me know when you have that in front of you.

3 A. Okay. I have it open.

4 Q. What is this document?

5 A. This is a release of our House Majority
6 Battlefield and the first twelve candidates named to the
7 DCCC's Red to Blue program.

8 Q. Does this document show the participants in
9 the Blue Texas Fund or New Wave Women?

10 A. No, it does not.

11 Q. Okay. Well, maybe let's do this, because I
12 would like to know who in Texas is involved with those
13 funds. I'd like to understand the relationships that
14 DCCC has with affiliates who work in Texas. And so
15 maybe the next time that we take a break would be an
16 appropriate time for you to look through Exhibit 4 and
17 find those documents that you're referring to.

18 A. Okay.

19 MS. BRANCH: Yes, I think we did produce
20 information on the Blue Texas Fund. So we can pull up
21 those documents after the break for sure.

22 MR. HILTON: Yeah. Let's -- if that's
23 all right with y'all, let's just do that on the next
24 break. I'm going to make a note real quick to come back
25 to that.

1 Q. (BY MR. HILTON) And, Ms. Newman, if you
2 happen to, you know, as we're going through other
3 stuff -- if you happen to come across these documents as
4 we're going through stuff, you know, holler at me; and
5 we can take care of it right then so we don't have to
6 come back to it.

7 A. Will do.

8 Q. I think that's all I have for Exhibit 6.

9 I'm going to move now to Exhibit 7.

10 (Exhibit 7 discussed.)

11 Q (BY MR. HILTON) I've just sent it out via
12 Zoom chat. I gave this a file name that I thought it
13 was, but I actually really don't know what I'm looking
14 at here. So please let me know once you have this in
15 front of you. And once you do, if you know, if you
16 could, tell me what is that we're looking at here.

17 A. Sure. This appears to be the summary page for
18 an amended year-end report from the DCCC.

19 Q. And are you familiar with these year-end
20 reports?

21 A. Yes.

22 Q. Did you review any year-end reports in
23 preparation for your deposition?

24 A. I did not.

25 Q. What is your familiarity with these reports?

1 Is it similar to the first one we looked at where it
2 just comes up in the course of your work?

3 A. Yes, it is.

4 Q. And I don't mean to speak for you, but any
5 other differences compared to what we looked at before?
6 Anything else I should know about your familiarity with
7 this report?

8 A. No. I mean, we talked about it from a high
9 level; but I do not review the reports.

10 Q. Got it. And you said this is just a summary
11 page. Do you know what other information is included
12 with these forms, these reports?

13 A. Yes. So this is the summary, the overview of
14 mostly cash on hand, total money in, and total money
15 out. And then on the FEC website itself, you would be
16 able to click through these filings and see all of the
17 receipts and disbursements itemized. And at least with
18 the disbursements, that also shows, like, the vendor and
19 a purpose.

20 Q. So on page 1 of Exhibit 7, there are some
21 links there. It says, "Summary Page, Detailed Summary
22 Page." And then describes Schedule A, B, and D filings.
23 Are those the attachments to the schedules that you're
24 referring to?

25 A. Yes.

1 Q. And I did not include those in Exhibit 7.
2 That's not my normal practice; but when I tried to
3 download them all, it was something like almost 50,000
4 pages. So I don't intend to go through 50,000 pages
5 with you today; but, you know, what I'm -- I'm hoping
6 maybe you can tell me if I were to look at the itemized
7 disbursements in Schedule B, you mentioned that it
8 included the description of the purpose for the
9 disbursement. Did I hear you correctly?

10 A. Yes.

11 Q. And what -- can you give me an example of what
12 that might look like?

13 A. Yes. So for all the disbursements, it usually
14 shows who the expense is disbursed to, what the vendor
15 name is, the date of the disbursement; and then there is
16 an amount related to that expense, as well as a
17 description for the expense itself.

18 Q. Well, what kind of information will be
19 contained in the description field or maybe --

20 MS. BRANCH: I'm going to object on the
21 basis that this is all public, and the documents speak
22 for themselves.

23 You may answer to the extent that you can
24 describe this.

25 A. Sure. I mean, it depends on the expense; but

1 it's usually a general descriptor. So if it's office
2 space, it might say "rent." If it's, you know,
3 staples.com, it would say "office supplies."

4 Q. (BY MR. HILTON) But -- okay. That's helpful.
5 That's what I assumed that it was going to be, kind of a
6 high level of detail; and that's what it sounds like
7 you're describing. It sounds like if I look at those
8 Schedule B filings, it will not tell me, you know,
9 "Funds spent in Bexar County related to voter
10 registration efforts in Precinct 3"? It won't be that
11 level of detail; is that right?

12 MS. BRANCH: Objection, public
13 information. The document speaks for itself.

14 You may answer.

15 A. Yes, I would agree with that.

16 Q (BY MR. HILTON) Okay. I'd like to focus
17 on -- turn back to Exhibit 7. I'd like to focus on
18 page 2 in the disbursements section.

19 A. Yes.

20 Q. What I was hoping you could do for me is
21 explain to me what each of these types of disbursements
22 are. It sounds like, you know, dealing with these
23 filings and putting them together is not your primary
24 job duty. So, you know, to the extent that you can, if
25 you have an understanding of any of these categories,

1 **I'd like to know what your understanding is.**

2 MS. BRANCH: And I'm just going to object
3 to the extent that this calls for a legal conclusion
4 since some of these are legal terms.

5 Jacqui, you may answer.

6 MR. HILTON: And, again, I think it's
7 going to go smoother if you could just limit the
8 speaking objections. I'd appreciate it.

9 A. Yeah, I'm happy to share my non-expert opinion
10 on these. So each line item the FEC calls for relates
11 to a slightly different kind of expenditure. Line 21 is
12 our operating expenditures; 22 are transfers to
13 affiliated or other party committees. So, actually,
14 what you see in Column A, the 45,360 number, that is
15 money that we transferred to Texas at the end of the
16 year, to the Texas Democratic Party. And any money we
17 transfer to party committees would show up on that line
18 item. Twenty-three is contributions to federal
19 candidates or other party -- or other political --

20 **Q. (BY MR. HILTON) I'm sorry. I had a question**
21 **for you on 22 there.**

22 A. Sure.

23 **Q. I'm looking at Column A. It's 45,360. You**
24 **said that represented funds transferred to the Texas**
25 **Democratic Party?**

1 A. Yes.

2 Q. And how do you know that?

3 A. Well, it's -- usually, we don't transfer a lot
4 of money in the off year. And so I'm aware that we had
5 transferred money to Texas in December, and I also came
6 across that again in preparation for that -- for this
7 deposition.

8 Q. Okay. And so there are two columns here. One
9 of them says, "Column A, This Period." And that's where
10 the 45,360 appears. There's also Column B that says,
11 "Calendar Year." And that number's quite a bit higher,
12 885,821.16. Do you see that?

13 A. Yes.

14 Q. What's the difference between those two
15 numbers?

16 A. Column B refers to amounts that were filed in
17 previous reports. So it's the total amount that we
18 transferred that calendar -- in 2019. And we had
19 transferred the 45,360, I believe, in December, which
20 was the report filing in question for this time.

21 Q. Oh, okay. So this is -- what I've given you,
22 I think, is the second amended year-end report. I
23 guess -- tell me if I have this correctly -- Column B
24 would be the total of transfers to affiliated or other
25 party committees that appear on all of the year-end

1 reports then?

2 A. Yes. It's the total we transferred to other
3 party committees in the year 2019.

4 Q. Okay. Okay. And you just happen to know that
5 this 45,360 was the Texas Democratic Party because of
6 the timing, and you just happen to know?

7 MS. BRANCH: Objection. This is all
8 public.

9 A. Yes. And in Exhibit 8 that you shared
10 earlier, you can see that transfer as well.

11 Q. (BY MR. HILTON) Okay. Great. That's
12 helpful.

13 But I wouldn't be able to tell that from
14 the face of Exhibit 7?

15 A. No.

16 MS. BRANCH: Objection. Vague.

17 Q (BY MR. HILTON) Let's go down to -- all
18 right. Well, let's -- sorry to interrupt you again
19 there; but that was helpful to help me understand the
20 difference between Column A and Column B here.

21 Can you -- I guess we were on Line 23
22 then; and maybe you could pick back up with, you know,
23 explaining to me what these -- your categories of
24 disbursement are.

25 A. So Line 23 is contributions to federal

1 candidates or other political committees.

2 Twenty-four would show any disbursements
3 we made that are considered to be independent
4 expenditures.

5 **Q. And what does that mean?**

6 A. An independent expenditure is an expenditure
7 that's made kind of without any coordination. So those
8 are expenses that would not be working directly with a
9 campaign or another party.

10 **Q. Could it be an expenditure related to a**
11 **campaign?**

12 A. Yes.

13 MS. BRANCH: Objection to the extent
14 these questions call for legal conclusions.

15 But, Jacqui, you may answer based on your
16 knowledge.

17 **Q (BY MR. HILTON) So if you -- this is a**
18 **hypothetical example; I don't know whether it's**
19 **happened -- but if DCCC wanted to run ads in support of,**
20 **you know, Wendy Davis in her campaign and didn't**
21 **coordinate with that campaign prior to running the ads,**
22 **just kind of did it on its own, would that be an**
23 **independent expenditure?**

24 MS. BRANCH: Objection to the extent that
25 this calls for a legal conclusion.

1 But you may answer.

2 A. In a very simple view, yes. It's a little bit
3 more complicated than that because it requires us to
4 meet certain standards to prove that we haven't
5 coordinated with the campaign. We're not using any
6 campaign information.

7 Q (BY MR. HILTON) Yeah, understood. When
8 lawyers are involved, it's never going to be that
9 simple. So I get that. But that's helpful to help me
10 kind of understand what we're looking at.

11 All right. So that was 24, independent
12 expenditures. How about 25?

13 A. This is coordinated expenditures made by a
14 party committee, so that's almost the opposite of an
15 independent expenditure.

16 Q. Sure.

17 A. Twenty-six is loan repayments made.
18 Twenty-seven is --

19 Q. Is that 16 million on loan repayments made?

20 A. Yes.

21 Q. And what was that payment?

22 MS. BRANCH: Objection to the extent that
23 this calls for information privileged by the First
24 Amendment.

25 But if you can answer that without

1 revealing strategic information, you may do so.

2 A. As you can see in the publicly available
3 findings -- or filings, the DCCC took a line of credit
4 for \$16 million.

5 **Q. From who?**

6 A. Bank of America.

7 **Q. And what were those funds used for?**

8 MS. BRANCH: Objection, same one.

9 You can answer at a high level.

10 A. Our expenditures.

11 **Q (BY MR. HILTON) Which expenditures?**

12 A. Just generally.

13 **Q. Can you give me an example?**

14 A. Well, this loan was taken in the 2018 cycle,
15 so it was for expenditures that occurred in 2018.

16 **Q. So, like what?**

17 MS. BRANCH: Objection to the extent that
18 this calls for strategic information. I don't know the
19 relevance. Is there a specific relation to this case on
20 this question?

21 MR. HILTON: I would like to know an
22 example of what this money was spent on in the 2018
23 campaign.

24 MS. BRANCH: Okay. I think the fact that
25 they took out a loan is public, but I instruct the

1 witness not to answer specific information about what
2 the loan was used for.

3 MR. HILTON: On what basis?

4 MS. BRANCH: The First Amendment.

5 MR. HILTON: I'm not asking for any
6 strategic information.

7 MS. BRANCH: I think you can answer at a
8 high level, Jacqui.

9 I think she's already done that, but...

10 Q (BY MR. HILTON) I just want to know an
11 example of an expenditure that came from the \$16 million
12 during the 2018 campaign.

13 A. Yeah, we -- I definitely can't point to, like,
14 "This expense was paid for by this loan." It's kind of
15 all of our activities and expenditures grouped together.

16 Q. I don't understand.

17 MS. BRANCH: Is there a question?

18 Q. (BY MR. HILTON) Can you please elaborate on
19 your answer because I don't understand?

20 A. I would just say the loan generally applied to
21 our activities in the 2018 cycle.

22 Q. So --

23 A. There's not a specific expense.

24 Q. So it was a 16-million-dollar line of credit,
25 you said?

1 A. Yes.

2 Q. And my understanding of how lines of credit
3 work -- maybe this one is different -- is that you have
4 to make the decision to draw down on that line of
5 credit, correct?

6 A. Yes.

7 Q. It's not like Bank of America just handed you
8 a check for \$16 million; and it got thrown into a common
9 account, correct?

10 A. Correct.

11 Q. Okay. So can you give me an example of when
12 the DCCC -- let's do it this way: How about an example
13 from an expenditure that was made in Texas from this
14 line of credit?

15 MS. BRANCH: Again, same objection on the
16 First Amendment.

17 But, Jacqui, you can talk about the 2018
18 spending in Texas at a high level.

19 A. Sure. Well, we, the DCCC, invested over
20 \$6.7 million in Texas in the 2018 cycle. Again, I can't
21 point to any expense that this loan went directly to
22 fund other than to say it allowed us to complete all of
23 our activities in 2018.

24 Q. (BY MR. HILTON) Who would know how this line
25 of credit was used?

1 MS. BRANCH: Objection, First Amendment.

2 Do not answer is my instruction.

3 Q. (BY MR. HILTON) Are you going to abide by
4 that instruction?

5 A. Yes, I am.

6 Q. You mentioned DCCC has a CFO?

7 A. Yes.

8 Q. What's that person's name?

9 MS. BRANCH: Objection, First Amendment.

10 This is -- some of this is public information, but I'm
11 just not sure what the purpose of this line of
12 questioning is.

13 MR. HILTON: Ms. Branch, please limit
14 your speaking objections.

15 Q. (BY MR. HILTON) I would like to know the name
16 of the CFO of the DCCC.

17 A. Jackie Forte-Mackay.

18 Q. Would she know how this expenditure was used,
19 how this line of credit was used?

20 MS. BRANCH: Objection, First Amendment.

21 Vague. I'm going to instruct the witness not to answer.
22 Again, the strategic decisionmaking of the DCCC and use
23 of that loan is protected by the First Amendment; and
24 the witness is not going to answer further questions on
25 that.

1 So we can keep objecting and you can take
2 offense to my speaking objections, but I'm going to put
3 that on the record and I want that to be clear. I also
4 want to make clear on the record that your tone earlier
5 with respect to my objection and then cutting me off has
6 been hostile. So I want that to be reflected.

7 But, again, I'm going to continue to make
8 that objection; and we can kind of do that all day. I
9 don't think it's directly relevant to the DCCC's
10 standing, but we can proceed.

11 MR. HILTON: Well, I disagree with your
12 characterization of my tone; and I disagree that this
13 information is privileged.

14 **Q. (BY MR. HILTON) Ms. Newman, are you going to**
15 **follow your counsel's instructions not to answer?**

16 A. I am.

17 **Q. Okay.**

18 MR. HILTON: And, Ms. Branch, again, I'm
19 not offended by your speaking objections; but they're
20 not permissible under the rules. And so I'd just ask
21 you to limit them.

22 MS. BRANCH: I'm trying to limit them as
23 much as possible, and I understand. I don't want to
24 testify. Jacqui's here to testify.

25 MR. HILTON: Thank you.

1 Q (BY MR. HILTON) How much money did you say
2 was spent in Texas in the 2018 election cycle?

3 A. Over 6.7 million.

4 Q. Is that reflected on Exhibit 7?

5 A. No. No, because Exhibit 7 is showing our 2019
6 year-end report.

7 Q. If we were to look at the same form for 2018,
8 the year-end, you know, report, would that show the
9 expenditures in Texas?

10 MS. BRANCH: Objection. Public.

11 But you can answer to the extent that you
12 know. It's all published information.

13 A. It would show all of the money that we
14 transferred to State Party committees and other
15 expenditures made at a general level.

16 Q. (BY MR. HILTON) Would I have to look at the
17 Schedule B to that 2018 year-end report to find the
18 disbursements related to Texas?

19 A. Yes, and you would have to look at all of the
20 reports, probably.

21 Q. Okay. Did you look at any of those reports in
22 preparation for your deposition?

23 A. I did not.

24 Q. And I'm so sorry. This is like the fourth
25 time I've asked you: What was that number, again, that

1 **was spent in the 2018 election cycle in Texas?**

2 MS. BRANCH: Objection, asked and
3 answered.

4 You may answer.

5 A. It was over 6.7 million.

6 **Q. (BY MR. HILTON) And what was that money used**
7 **for?**

8 A. It was used for persuasion and mobilization of
9 voters in support of our campaigns in Texas.

10 **Q. Voter persuasion and mobilization of**
11 **campaigns?**

12 MS. BRANCH: Objection, mischaracterizes
13 the testimony.

14 You may answer.

15 **Q. (BY MR. HILTON) Voter persuasion and**
16 **mobilization of voters?**

17 A. Yes.

18 **Q. Is that what you said?**

19 A. Yes.

20 **Q. Is that what you said? I just didn't hear it.**

21 A. Yes.

22 **Q. Anything else that it was used for?**

23 A. I think that encompasses a lot of activities,
24 but...

25 **Q. Are there any other types of activities that**

1 **that doesn't encompass?**

2 MS. BRANCH: Objection, vague.

3 You may answer.

4 A. You know, again, I think everything is --
5 everything we do is to an end of mobilizing and
6 persuading voters.

7 Q (BY MR. HILTON) I'm going to ask you to pull
8 up Exhibit 1, which was sent out earlier. It's the
9 Deposition Notice, and I'd like to turn to page 5 of the
10 Notice.

11 A. Okay.

12 Q. And I'm looking at Topic 4, section --
13 subsection (b). And starting with the year 2014, what
14 were the total funds spent on voter persuasion efforts
15 in Texas during the year 2014?

16 A. So I looked into our spending in the past
17 cycles and I can share with you what we've spent in
18 Texas, but this doesn't necessarily align with how we
19 track or know our spending.

20 Q. How do you track your spending?

21 A. It's more general than this because, again,
22 we're kind of thinking of everything in terms of
23 everything is a voter persuasion effort or GOTV effort.

24 Q. So the entirety of the 6.8 million, or
25 whatever the number was that you spent in Texas in 2018,

1 for example, that was all spent on voter persuasion and
2 Get Out the Vote?

3 A. Yes.

4 Q. What about voter registration efforts, can you
5 break that out?

6 A. For past cycles I cannot.

7 Q. That relates to 2014 through 2019, I suppose?

8 A. Through 2018. I can speak to our voter
9 registration efforts this cycle.

10 Q. Well, let's leave this cycle aside for a
11 second; and let's stick on the past ones then. So what
12 were the total funds spent on all activities in Texas in
13 the year 2014?

14 A. It was just over \$3.1 million.

15 Q. And that was all spent on voter persuasion and
16 Get-Out-the-Vote efforts?

17 A. Yes.

18 Q. And you can't tell me what portion was spent
19 on voter registration efforts?

20 A. Correct.

21 MS. BRANCH: Objection. She's asked and
22 answered. To the extent that these questions call for
23 strategic information, I'm going to object on the basis
24 of the First Amendment.

25 But you may answer at a high level.

1 **Q. (BY MR. HILTON) Are there any activities**
2 **other than voter persuasion, Get Out the Vote, or voter**
3 **registration activities on which DCCC spent money in**
4 **2014?**

5 A. In Texas?

6 **Q. In Texas.**

7 A. Not to my knowledge.

8 **Q. How about the year 2015, what was the total**
9 **amount of funds spent on all activities in Texas?**

10 MS. BRANCH: Same objection.

11 But you may answer at a high level.

12 First Amendment.

13 MR. HILTON: I'm sorry. What's the
14 objection?

15 MS. BRANCH: First Amendment.

16 You may answer at a high level.

17 I think the witness --

18 **Q. (BY MR. HILTON) The question is the total**
19 **funds spent on all activities in Texas in the year 2015.**

20 A. So we -- and I apologize if I didn't mention
21 this earlier. We look at all of our spending on a
22 cyclical basis. So the years 2015 and 2016 would be
23 grouped together. So I don't know exactly how much we
24 spent in 2015. I would actually guess it's little to
25 nothing, just because it's the off year; and most of our

1 spending is in the on year. But I can tell you in 2016
2 the DCCC spent just over \$6 million in Texas.

3 **Q. And you did mention the two-year cyclical**
4 **nature earlier, and now it's starting to make a little**
5 **more sense. What kind of activities and expenditures do**
6 **occur in the off year?**

7 MS. BRANCH: Objection to the extent it
8 calls for First Amendment privileged information.

9 You may answer at a high level.

10 A. It's generally limited; but if coordinated
11 campaigns are beginning to get set up, there might be
12 Coordinated Campaign expenses we're transferring to the
13 Party. Voter registration may begin in an off year.
14 That is usually it. The bulk of our spending takes
15 place in the on year, usually, as we get closer in to
16 the election.

17 **Q. (BY MR. HILTON) Are you withholding**
18 **information in your answer based on your instruction**
19 **from counsel?**

20 MS. BRANCH: Objection.

21 You may answer.

22 MR. HILTON: What's the basis?

23 MS. BRANCH: Attorney-client privilege.

24 I mean, she answered on the record. You asked her
25 earlier.

1 Q. (BY MR. HILTON) Let me explain my question a
2 little more. Your counsel instructed you -- objected on
3 the basis of a First Amendment privilege and stated that
4 you could answer to the extent it doesn't reveal
5 privileged information and that you could answer at a
6 high level.

7 MR. HILTON: Is that a fair
8 characterization of your objection, Ms. Branch?

9 MS. BRANCH: It is.

10 Q. (BY MR. HILTON) Okay. You heard that
11 objection, Ms. Newman?

12 A. I did.

13 Q. And did your answer change on the basis of
14 that objection?

15 A. It did not.

16 Q. So you would have given me the same answer
17 regardless of whether your counsel objected?

18 A. Yes.

19 Q. Okay. That's all I'm asking. I just want to
20 know if there actually is something being withheld when
21 your counsel makes these objections, or not. So that's
22 all I was trying to ask. Thank you for clarifying that.

23 All right. So let's go back to the
24 questions from the topics, and we're dealing with this
25 is in the two-year cycles; that's how y'all account for

1 it. And so in the 2016 election cycle, you spent just
2 over 6 million on all activities in Texas. Do I
3 remember that correctly?

4 A. Yes, that's correct.

5 Q. What was the total amount spent on voter
6 persuasion efforts in that election cycle?

7 A. Similar to what I said before. It is all kind
8 of part of the same bucket of voter persuasion/GOTV
9 efforts.

10 Q. And how much was spent on voter registration
11 efforts?

12 A. I can't speak to that.

13 Q. Is that because you don't know?

14 A. Yes.

15 Q. And that's because DCCC doesn't track that
16 information?

17 A. Yes, it has not been tracked like this in the
18 past.

19 Q. Are there any other, you know, broad
20 categories or buckets of activities other than voter
21 persuasion, Get Out the Vote, and voter registration
22 efforts on which DCCC spent money in the 2016 election
23 cycle?

24 A. Spent money in general or spent money in
25 Texas?

1 Q. I'm sorry. In Texas.

2 A. No, it's just this.

3 Q. Okay. How about the 2018 election cycle? So
4 I understand that to mean from the -- you know, the
5 presidential election in 2016 to the presidential
6 election in or -- I'm sorry -- for the federal election,
7 the congressional election in 2016, to the congressional
8 election in 2018. That's how I'm thinking of the
9 two-year cycle. Is that how y'all measure it as well?

10 A. Yeah, more or less. I mean, we kind of
11 started at January 1st.

12 Q. Okay. So it would be -- it's really the
13 calendar years 2017 and 2018?

14 A. Yeah.

15 Q. Okay. So for that period, 2017 to 2018, or
16 the 2018 election cycle, what was the total amount spent
17 on all activities in Texas?

18 A. It was over \$6.7 million.

19 Q. And how much of that was spent on voter
20 persuasion efforts?

21 A. Again, it's -- that 6.7 covers all of our
22 voter persuasion and GOTV efforts in the 2018 cycle.

23 Q. And how much of that just over 6.7 million, I
24 think you said, was spent on voter registration efforts?

25 A. I don't know.

1 Q. And that's because DCCC doesn't have that
2 information?

3 A. Yeah. And I'm not being deliberately vague
4 here. It's most likely -- you know, we kind of see it
5 all as one bucket of money that is going towards this
6 cause; and we are, as mentioned before, transferring
7 money to the Texas Democratic Party for the Coordinated
8 Campaign where a lot of those voter registration efforts
9 are taking place.

10 Q. And I'm not making a judgment as to whether
11 you should or should not have this information or how
12 you track it. I understand, you know, how y'all view
13 it. It seems like it's all one bucket of activity that
14 goes towards electing Democrats for the House, right?

15 MS. BRANCH: Objection, mischaracterizes
16 the testimony. I think you should let the witness
17 testify, so.

18 Q. (BY MR. HILTON) Is that a fair
19 characterization of your testimony?

20 A. Yes, I think generally that's it.

21 Q. Okay. So I think we've finished 2018.

22 How about the current election cycle,
23 what's the total amount that's been spent so far in the
24 current election cycle?

25 A. So, so far this cycle, we've spent -- and you

1 can see this in -- I think, it's Exhibit 8, our
2 transfers to the Texas Democratic Party. We've
3 transferred over \$145,000 to the Texas Democratic Party.
4 The DCCC has spent directly in Texas over \$1.1 million,
5 and I believe over \$550,000 of that is directly related
6 to voter registration in Texas.

7 **Q. \$550,000 of what has been spent so far is**
8 **related to voter registration?**

9 A. Yes.

10 **Q. And how do you know that?**

11 A. Because we have been working with the Texas
12 Democratic Party on voter registration, and we have --
13 directly, the DCCC has engaged in voter registration on
14 the ground. And I believe there -- I believe we have
15 produced documents showing that commitment, but...

16 **Q. So I guess my question is: In previous**
17 **election cycles, DCCC can't separate out exactly what**
18 **was spent on voter registration; but for the current**
19 **election cycle, you can. And I'm trying to understand**
20 **why that's the case.**

21 A. Sure. Well, I mean, one, I think there is a
22 large voter registration effort in Texas right now in
23 particular; and so it's easy for us to identify that.
24 You know, as I mentioned earlier, we have a lot of
25 turnover each cycle; and so a lot of the people behind

1 spending decisions from past cycles aren't here to speak
2 to how we spent money in the past. And, you know, I've
3 directly been involved with some of these transactions
4 and expenses, so I can speak to them.

5 Q. And how are you able to get such a precise
6 number for this year's expenditures on voter
7 registration efforts?

8 A. On the voter registration efforts?

9 Q. Yes.

10 A. Well, the 145K that we have transferred to the
11 Texas Democratic Party to date, that has all been to the
12 Coordinated Campaign to support voter registration and
13 then what we -- what I know we have spent on voter
14 registration.

15 Q. Do you make any other transfers to any
16 other -- does DCCC make any other transfers to any other
17 groups for voter registration activities?

18 A. To other state parties?

19 Q. Any other groups in Texas. I'm sorry. And
20 I'm doing a poor job of clarifying that, so I appreciate
21 you noting that. I'm trying to ask about activities in
22 Texas.

23 A. To my knowledge, we have transferred the money
24 to the Texas Democratic Party's Coordinated Campaign for
25 voter registration and, again, we have engaged a vendor

1 ourselves to do voter registration efforts on the ground
2 in Texas.

3 Q. I think that was mentioned in your colleague's
4 Declaration, the vendor, if I remember that correctly.
5 That's Exhibit 3.

6 A. Yes.

7 Q. And it looks like that's Paragraph 7 of the
8 Declaration in Exhibit 3?

9 A. Yes.

10 Q. Agreement for nearly \$400,000 for a consultant
11 to provide voter registration services in Texas
12 Congressional District 23. That's what you're referring
13 to?

14 A. Yes.

15 Q. And so what services is that consultant going
16 to provide?

17 MS. BRANCH: Objection to the extent that
18 this calls for strategic party information.

19 You may answer at a high level.

20 A. They help us go through our process of
21 training staff on the ground to try to learn how to
22 register people to vote in Texas.

23 Q. (BY MR. HILTON) And what does that training
24 look like?

25 A. I am not very familiar on the details, but I

1 know that all -- anyone who is registering voters in
2 Texas needs to be trained and deputized in order to do
3 so.

4 **Q. And who are the staff that you are training,**
5 **like staff of whom?**

6 A. So it depends, I think. You know, we hired a
7 consultant who ran some of these efforts that's laid out
8 in Exhibit 3. In that case the consultant has employees
9 who are helping this effort in Texas.

10 We have -- with the money that we have
11 sent to the Texas Democratic Party, I believe at least
12 two people have been hired with the express purpose of
13 assisting voter registration efforts.

14 And then we also have staff on the ground
15 who work directly for the DCCC whose roles involve a lot
16 of community engagement and help with voter
17 registration.

18 **Q. Do you know what -- so community engagement**
19 **and voter registration, are those two different things?**

20 A. I think so. I think maybe community
21 engagement is an overarching bucket that could involve
22 voter registration.

23 **Q. What are the other types of buckets of**
24 **activities that your direct staff in Texas are engaging**
25 **in this cycle?**

1 A. They're organizing events. They are meeting
2 with our constituents in the districts. They are
3 following events of our challengers, as well, and
4 reporting back to the team on what's happening on the
5 ground in Texas.

6 **Q. Anything else?**

7 A. I think that's the bulk of it.

8 **Q. Do you know what percentage of their time is**
9 **devoted to voter registration efforts?**

10 A. I don't.

11 **Q. Does anyone at DCCC?**

12 A. I think our field team would. I also think it
13 probably shifts throughout the cycle. You know, early
14 on, when there is time to register voters, that is a
15 bigger focus. I also think that we would be doing a lot
16 of voter registration right now if we were not in the
17 current situation we are in, speaking from our homes.

18 **Q. Yeah. Yeah, I can only imagine how much that**
19 **has kind of thrown a wrench in everything. And so,**
20 **yeah.**

21 Well, let me ask you this: Turning back
22 to Exhibit 3, Paragraph 6, the last sentence of that,
23 the second sentence of that paragraph, it says, "DCCC
24 uses voter registration not only to expand the pool of
25 individuals who are eligible to vote for Democratic

1 candidates but also to have important conversations with
2 people about the importance of voting and important
3 causes to the Democratic Party." Did I read that
4 correctly?

5 A. Yes.

6 Q. Can you explain what is meant by this?

7 A. Sure. I think in the process of registering
8 people to vote, people who are not currently registered
9 or participating in the voting process, it allows you to
10 start a dialogue about why it's important for people to
11 register and to show up and make a plan about voting on
12 Election Day, which is what getting out the vote is all
13 about.

14 Q. And how about important causes to the
15 Democratic Party? How does that piece of it play into
16 these voter registration efforts?

17 A. I think that usually the important causes tie
18 back to what somebody's motivation might be to vote.

19 Q. How do all of these purposes get accomplished
20 when you're engaging in efforts to register voters?

21 A. I'm sorry. Could you clarify the question?

22 Q. Well, it seems to me there's a few different
23 purposes to DCCC's voter registration efforts, as
24 explained in Paragraph 6 of Exhibit 3. And as you're
25 explaining to me now, it's to expand the pool of

1 individuals, to have important conversations with people
2 about the importance of voting, and conversations about
3 important causes to the Democratic Party. I'm trying to
4 understand how all of those purposes are accomplished.
5 So how do the voter registration activities address all
6 of those purposes? What do you do to achieve those
7 purposes in the context of your voter registration
8 efforts?

9 A. I think that this is all part of one
10 conversation that naturally flows together where, you
11 know, it might look something like, "Hey, are you
12 registered to vote? Would you like to register to vote?
13 And do you know there's an election coming in November?
14 If you register to vote now, you can participate in that
15 or if there's a primary coming up, you can participate
16 in that" and why it might be important to a voter to
17 participate in that election and register at this time.
18 I really think of it as all one conversation, not
19 necessarily three different or a few different goals.

20 Q. Okay. So this is -- all of these things are
21 part of every conversation with someone who you're
22 trying to engage with; is that what you're saying?

23 A. Yes.

24 Q. Okay. That is helpful. Thank you for
25 clarifying that.

1 Is there -- sorry. I have a few
2 follow-up questions on this, so I was trying to organize
3 my thoughts. How does DCCC track the success of these
4 kinds of voter registration efforts?

5 MS. BRANCH: Object to the extent this
6 calls for strategic information.

7 But you may answer at a high level.

8 A. We certainly want to know how many voters
9 we've registered.

10 Q (BY MR. HILTON) So number of voters who get
11 registered, how is that tracked?

12 A. I am not familiar with the specifics, but
13 usually the people who are tasked with registering
14 voters report back the top-line numbers.

15 Q. The top-line number being the total number of
16 people who are registered?

17 A. Yes.

18 Q. Is that tracked for the whole cycle or by
19 activity or by location? What are some of the ways in
20 which that's broken down?

21 A. Yeah --

22 MS. BRANCH: Again, I'm going to assert
23 the same objection on First Amendment grounds.

24 You can answer at a high level.

25 A. I think it depends based on who's in charge of

1 the program, but it could be any of those things. It
2 could be just number of people or by the specific
3 activity, like, "This is how many people got registered
4 today at this event" or in a place.

5 Q (BY MR. HILTON) Are there any other ways in
6 which it's tracked?

7 A. Not that I can think of.

8 Q. Can DCCC apportion a cost to register each new
9 voter?

10 A. I guess it's possible.

11 Q. Is that something that DCCC has already done?

12 A. No.

13 Q. That's not data that DCCC has?

14 A. Correct.

15 Q. And when you said it was possible, what did
16 you mean by that?

17 A. I mean, I think you could come up with some
18 metric of how much money we are spending as it relates
19 to how many people we are able to register to vote.

20 Q. But DCCC does not have any such metric
21 currently?

22 MS. BRANCH: Objection, asked and
23 answered.

24 A. No, not to my knowledge.

25 Q (BY MR. HILTON) Has DCCC had a metric like

1 that at any time from the beginning of 2014 to the
2 present?

3 A. Not to my knowledge.

4 Q. How does the DCCC decide which voters to
5 target?

6 MS. BRANCH: Objection, First Amendment
7 privilege.

8 You can answer at a high level to the
9 extent you can. We can't disclose targeting and
10 strategic information.

11 A. There are ways that we're able to identify
12 voters who are likely to support Democratic candidates
13 or vote for Democrats.

14 Q. (BY MR. HILTON) So that's the target group,
15 is folks you expect to vote Democratic?

16 A. Yes.

17 Q. How does DCCC decide which types of voter
18 registration efforts to pursue?

19 MS. BRANCH: Again, same objection.

20 You can answer at a high level.

21 And that's to First Amendment, to
22 clarify.

23 A. I think it's probably a variety of factors
24 based on where our targeted races are as far as priority
25 districts for the DCCC and where we are able to make an

1 effort and a successful activity out of registering
2 voters.

3 **Q. (BY MR. HILTON) Does DCCC adjust its**
4 **activities based on a success rate?**

5 A. Yeah. I want to be clear that I don't know if
6 there's necessarily, like, a success rate or a
7 definition; but, you know, we certainly aren't going to
8 engage in efforts where -- in voter registration efforts
9 where it's not possible because of, like, geographic or
10 logistics.

11 **Q. Who makes those kinds of decisions?**

12 MS. BRANCH: Objection, First Amendment
13 privilege. I'm going to instruct the witness not to
14 answer that.

15 MR. HILTON: And so to be clear, my
16 question is: Who at the DCCC decides whether to adjust
17 voter registration activities and how they do that. And
18 you're instructing the witness not to answer?

19 MS. BRANCH: I mean, I think that you
20 have that information. If you want to pursue a high-
21 level line of questioning, I'm okay with that; but my --
22 what I think we're doing is going into the strategy of
23 how the D-Trip targets voters for voter registration.
24 And that is protected by the First Amendment.

25 So, Jacqui, if you want to answer that

1 question, that's fine.

2 And maybe we can have the court reporter
3 read that back; but beyond that, I'm going to object.

4 MR. HILTON: I'll restate my question.

5 **Q. (BY MR. HILTON) Who at DCCC adjusts which**
6 **voter registration efforts that the group is going to**
7 **engage in?**

8 A. I think that a lot of that responsibility
9 falls on the National Field Director.

10 **Q. And how are those decisions made?**

11 MS. BRANCH: Objection. I'm going to
12 instruct the witness not to answer.

13 Is now maybe a good time to break for
14 lunch? I don't mean to interrupt.

15 MR. HILTON: Well, I think now is a good
16 time to take a break. I need, like, ten minutes; but if
17 y'all want to take longer, that's fine, whatever y'all
18 want to do.

19 MS. BRANCH: Can we do -- well, can I ask
20 you how long you may have after lunch, if you have a
21 rough estimate?

22 MR. HILTON: I don't know. I need the
23 ten minutes to figure out what I'm going to do next.

24 MS. BRANCH: Okay. Well, I think we
25 need -- Jacqui, is 30, 45 minutes good for a you?

1 THE WITNESS: Yeah, 30 minutes should be
2 fine for me.

3 MS. BRANCH: Okay. That will be 1:50.

4 MR. HILTON: All right. We can go off
5 the record.

6 THE REPORTER: Going off the record at
7 12:29 p.m.

8 (Off the record from 12:30 to 1:05 p.m.)

9 THE REPORTER: We're back on the record
10 at 1:05 p.m.

11 Q (BY MR. HILTON) All right. Ms. Newman,
12 before we broke we were talking about voter registration
13 activities and expenditures. And we, I think, had
14 covered most of what I wanted to cover; but I just have
15 a few -- couple of things to make sure I'm tying up all
16 that that I want to discuss with you today.

17 So for the 2018 cycle, which is the cycle
18 where DCCC has some more insight into specific
19 expenditures on voter registration, I just want to make
20 sure that I have everything that you've told me so far
21 correct. You've given money to -- DCCC has given money
22 to the Texas Democratic Party that's earmarked for voter
23 registration. DCCC has hired a vendor to help with
24 voter registration efforts, which we discussed earlier
25 in connection with the Declaration, which I think is

1 **Exhibit 3. Is there -- has anything else been spent**
2 **that's been earmarked for voter registration efforts for**
3 **the 2018 election?**

4 A. Sorry. To be clear, I think -- I think the
5 money we are talking about right now is for the current
6 cycle, the 2020 cycle.

7 Q. Sorry. Yes, I misspoke. For the current
8 cycle, the 2020 cycle. So the TDP money that is
9 earmarked and then the vendor for the 2020 cycle. Is
10 there anything else at this time?

11 A. Specifically on voter registration at this
12 time, I don't believe there is more money I can
13 identify. I mean, I think I mentioned earlier we've
14 spent up to -- or a little bit over 1.1 million in Texas
15 alone; and that includes our offices and our staff on
16 the ground. And, of course, you know, our staff is
17 engaging in this, you know, community engagement; and
18 they are out talking to voters and possibly registering
19 voters as part of their daily activities. And that is,
20 you know, like, wrapped up in their salary. It's not
21 necessarily identified in the other money I identified
22 for voter registration.

23 And I -- you know, I would say that we
24 are still several months out from the election; and we
25 will continue to make spending decisions as things

1 develop and get closer and that some of the difficulties
2 we face just around, you know, confusion that Texas
3 voters might have around changing their address or
4 renewing their information online and not being able to
5 simultaneously register to vote will inevitably lead us
6 to have to spend more money on voter registration and
7 more time making sure we are educating voters, that they
8 know that they might not have been registered to vote or
9 had their address updated if they changed any
10 information online through the DPS website.

11 Q. (Inaudible.)

12 THE REPORTER: I'm sorry. Something's
13 happened to your audio.

14 MR. HILTON: (Inaudible.) Better?

15 THE REPORTER: Not really.

16 THE VIDEOGRAPHER: Something has gone
17 wrong with your audio.

18 MR. HILTON: (Inaudible.)

19 THE VIDEOGRAPHER: It's a bandwidth
20 issue. Yeah, it sounds like you're having bandwidth
21 issues. The audio seems to be cutting out, Chris.

22 MR. HILTON: Yeah, I don't know. Nothing
23 has changed on my end (echoing audio.)

24 THE VIDEOGRAPHER: We had the same
25 problem the other day with Mr. Geise. Are you using a

1 headset?

2 MR. HILTON: I am not (echoing audio.)

3 THE VIDEOGRAPHER: So you're just using
4 your laptop audio?

5 MR. HILTON: Yes, sir. Should I drop off
6 and reconnect (echoing audio)?

7 THE VIDEOGRAPHER: Let's try that, yeah,
8 just kind of an if you restarted your computer type of
9 situation. Just log out and then log back in and see if
10 that doesn't correct the issue.

11 THE REPORTER: I'm going to take us off
12 the record at 1:10 p.m.

13 (Off the record from 1:10 to 1:12 p.m.)

14 THE REPORTER: We are back on the record
15 at 1:12 p.m.

16 Q (BY MR. HILTON) Ms. Newman, how much more
17 time and money will you have to spend?

18 A. I think it's hard to say at this point as,
19 again, we're several months out from the election. I
20 also think, you know, the current COVID-19 crisis we're
21 in may have an outside impact on this because fewer
22 people will be able to go into DPS in person and change
23 their information and update their voter registration.

24 So I think it's too far out to put a
25 number on it; but given that we've already invested, you

1 know, over a half a million dollars to date, you know, I
2 do not think that it is a small -- small investment.

3 **Q. How much more do you plan to spend on voter**
4 **registration efforts in Texas?**

5 MS. BRANCH: Objection to the extent that
6 this calls for strategic information.

7 If you know, you can answer.

8 A. I -- you know, again, I don't know if that has
9 been decided yet. I think it will depend as things
10 shape up with the current environment; and as we get
11 closer to the election, those expenditures are usually
12 decided.

13 **Q. (BY MR. HILTON) How much money did DCCC spend**
14 **on voter registration efforts in Texas for this election**
15 **cycle prior to January 21st, 2020?**

16 A. At least 40, \$45,000. \$45,630.

17 **Q. That was the transfer to TDP that we looked at**
18 **earlier on one of the exhibits?**

19 A. Yes. And, you know, I would ad that we've had
20 our staff on the ground in Texas in 2019. So they were
21 beginning to engage in these activities.

22 **Q. And I appreciate you mentioning that when I**
23 **was trying to get my arms around all the voter**
24 **registration activities for the staff. And we talked**
25 **about earlier you couldn't really break down what**

1 percentage of their duties were related to voter
2 registration. Am I remembering that correctly?

3 A. Yes, that's correct.

4 Q. Okay. Are there any other activities for
5 this -- or expenditures of funds for the 2020 election
6 cycle that we haven't touched on yet?

7 MS. BRANCH: Objection, vague. Is that
8 related to voter registration or just expenditures
9 generally?

10 MR. HILTON: I'm sorry. I thought I said
11 voter registration.

12 A. No, I think we've basically covered it.

13 Q. (BY MR. HILTON) How much of that money has
14 gone to try to register voters who change their address
15 or renew their driver's license online with DPS?

16 A. I don't know if there's a specific dollar
17 amount associated with that. I think that's just part
18 of our ongoing voter education effort to make sure when
19 we're talking to voters, "Are you registered to vote?"
20 Making sure they are aware that if they've moved
21 recently, depending on how they conducted that
22 transaction online, that if it was online versus in
23 person, that their information is treated differently
24 than going in person to change that and that they might
25 not, in fact, be registered to vote at their current

1 address.

2 **Q. Does DCCC keep track of the number of people**
3 **who it talks to who change their address or renew their**
4 **driver's license online with DPS?**

5 **MS. BRANCH: Objection to the extent that**
6 **this calls for strategic information.**

7 **But you may answer.**

8 **A. Not that I'm aware of.**

9 **Q (BY MR. HILTON) Do you have any -- does DCCC**
10 **have any training materials that reflect those kinds of**
11 **conversations that you were just referring to?**

12 **MS. BRANCH: Objection, vague, First**
13 **Amendment privilege.**

14 **A. Not that I'm aware of. I think, you know, the**
15 **information required is part of the reason why we engage**
16 **a consultant on the ground to run some of this. You**
17 **know, it's difficult to register voters in Texas; and it**
18 **requires a high level of expertise. I think a lot of**
19 **these activities also go through the Texas Democratic**
20 **Party for these reasons.**

21 **Q. (BY MR. HILTON) Okay. So leaving aside what**
22 **the Texas Democratic Party might have, DCCC doesn't have**
23 **any training materials reflecting how to have these**
24 **conversations beyond what a vendor might have?**

25 **MS. BRANCH: Objection. I think that's**

1 been asked and answered. I also think that it calls for
2 internal materials in the content of what's reflected in
3 those. So I'm going to instruct the witness not to
4 answer that question.

5 **Q. (BY MR. HILTON) So my question is: Does DCCC**
6 **have any materials that reflect training with respect to**
7 **how to have these kinds of conversations for voter**
8 **registration efforts?**

9 A. I don't believe we have any public materials.

10 **Q. Do you have any non-public materials?**

11 MS. BRANCH: Again, I maintain the
12 objection and instruct the witness not to answer.

13 MR. HILTON: Okay. So you won't allow
14 the witness to answer as to the existence of such
15 materials?

16 MS. BRANCH: She's already answered the
17 question.

18 **Q. (BY MR. HILTON) Do such materials exist,**
19 **Ms. Newman?**

20 A. I'm not going to answer.

21 **Q. And is that at counsel's instruction?**

22 A. Yes.

23 **Q. Okay. And no such materials were produced to**
24 **us?**

25 A. Correct.

1 **Q. Why is registering voters in Texas important?**

2 A. Voter registration is important in Texas
3 because we have several priority targeted races. We
4 have two -- we call them frontline districts, as well as
5 a handful of red-to-blue districts, that signify
6 priority within the DCCC. And registering voters makes
7 sure that we are broadening the people who are turning
8 out to vote for these candidates and members of
9 Congress.

10 MR. HILTON: All right. Maybe now is a
11 good time to switch over and talk about -- we had a
12 discussion earlier about the Blue Texas Fund and
13 documents showing DCCC's, you know, relationship
14 involved with something related to the Blue Texas Fund.
15 And, Ms. Branch, I believe you had a Bates number that
16 we could refer to?

17 MS. BRANCH: Yes. Let me just pull that
18 up.

19 **Q. (BY MR. HILTON) And -- I'm sorry -- one more**
20 **question I had on the -- going back to the vendor that**
21 **y'all hired in Texas.**

22 A. Yes.

23 **Q. Did you produce any documents related to what**
24 **that vendor is going to do for the DCCC?**

25 MS. BRANCH: Objection, those documents

1 are privileged. This calls for attorney-client
2 privileged conversations regarding our discussions on
3 what we produced in response to the subpoena.

4 Q. (BY MR. HILTON) Okay. I'm not intending to
5 ask for any conversations between you and your counsel,
6 Ms. Newman. I just want to know if any such documents
7 have been produced. You have the entire production
8 there in front of you, and you testified earlier that
9 you're familiar with it. So that's why I asked you.

10 A. And can you repeat the original question?

11 Q. Are there any documents that will show what
12 this vendor that you've engaged in Texas is going to do
13 for the DCCC in the production?

14 A. I don't believe so, other than maybe a press
15 release sharing that we're engaging in voter
16 registration.

17 Q. Okay. And can DCCC identify any voters who
18 have been registered to vote after -- by the DCCC, after
19 they changed their address or renewed their driver's
20 license online with DPS?

21 A. No, not that I'm aware of.

22 Q. Okay.

23 MR. HILTON: All right. And going back
24 to this Blue Texas Fund issue.

25 MS. BRANCH: So it's Bates Number 665 is

1 one of the Blue Texas Fund mail pieces, and it shows a
2 paid-for-by disclaimer.

3 MR. HILTON: 665, you said?

4 MS. BRANCH: Correct.

5 MR. HILTON: Okay. Great. Bear with me
6 one second while I pull it up.

7 Q. (BY MR. HILTON) Oh, and, I guess, Ms. Newman,
8 the same question: Could your vendor identify any such
9 voters?

10 MS. BRANCH: Objection, First Amendment
11 privilege. I'm going to instruct the witness not to
12 answer.

13 Q. (BY MR. HILTON) Are you going to follow your
14 counsel's instruction, Ms. Newman?

15 A. Yes.

16 MR. HILTON: Where am I going to find
17 this document?

18 Gosh, that was on the record, wasn't it?
19 I'm so used to talking to myself while I putz around my
20 computer that it's really gotten me in trouble on this
21 Zoom depo stuff. Sorry you have to watch my face while
22 I confusedly look through my files here.

23 All right. And it was -- I'm sorry --
24 665?

25 MS. BRANCH: 665 is the page -- one of

1 the pages that contains the disclaimer.

2 Q (BY MR. HILTON) All right. Ms. Newman, can
3 you pull up page 665?

4 A. Yes.

5 Q. Let me know once you're there.

6 A. I'm there.

7 Q. All right. What is this -- what is this
8 document?

9 A. This is a mailing from the Blue Texas Fund;
10 and I guess to confirm what we discussed earlier, this
11 is a joint fundraising committee that is with Colin
12 Allred for Congress, Elizabeth Pannill Fletcher, for
13 Congress, and the DCCC.

14 Q. Okay. So those are all the folks who are part
15 of this joint fundraising committee?

16 A. Yes.

17 Q. Okay. I appreciate that. And I see here
18 there are a couple of other kind of targeted races, I
19 guess, listed in this mailing; but those campaigns are
20 not part of the Blue Texas Fund?

21 A. Correct.

22 Q. So the Blue Texas Fund is raising money on
23 their behalf, or what's the relationship to these other
24 campaigns?

25 A. The Blue Texas Fund currently raises money for

1 just the committees that are listed in the disclaimer.

2 Q. Okay.

3 A. And, you know, again, these are two of our
4 members of Congress who won in the 2018 election in
5 Texas; and they are part of our highest priority races
6 across the country and in Texas.

7 Q. Okay. I'd like to turn to another page from,
8 I think, what we marked as Exhibit 4. It's the
9 production from DCCC. It's a two-page document starting
10 at Bates DCCC 661. Please let me know when you have
11 that pulled up.

12 MS. BRANCH: You say Exhibit 4?

13 MR. HILTON: Yeah, the entire DCCC
14 production is designated as Exhibit 4 for the purposes
15 of the deposition. So I'm just referring to particular
16 pages out of that.

17 A. I have this pulled up.

18 Q (BY MR. HILTON) All right. 661, we had
19 looked at that earlier; it wasn't what I thought it was.
20 So maybe you can kind of explain to me what I'm looking
21 at here. It's a map of the United States, obviously.
22 And it has a bunch of races listed, and there's a key
23 for certain symbols. So maybe you can kind of break
24 this down for me.

25 A. Sure. This is our House battlefield that

1 highlights our frontline candidates. These are our, you
2 know, kind of our targeted members who are running for
3 re-election. And you'll see, again, that includes
4 Lizzie Fletcher and Colin Allred in Texas.

5 Q. And so what are each of the categories listed
6 here? Like, it says, Frontline Candidates, Red to Blue,
7 Offensive Battlefield Districts, Expanded Battlefield
8 Districts, and a bunch of different campaigns or states
9 listed under each category.

10 Could you go through each of these
11 categories and explain to me what they are and how they
12 differ from each other? I understand you're saying
13 they're all targeted in some way, but maybe you could
14 explain why they're broken out separately on this
15 document.

16 A. Sure. So our frontlines are incumbent members
17 of Congress. Red to Blue are the first tier of targeted
18 challenger races. So these are people who are hoping to
19 unseat a Republican member of Congress. And this
20 document actually might be slightly out of date because
21 we have Texas 21 and Texas 23 listed here as red-to-blue
22 districts, but we've also recently added Texas 22 to
23 this list.

24 Q. I see -- I'm sorry to interrupt. I see a date
25 at the bottom that's March 5th, 2020. Would this list

1 **be accurate as of that date?**

2 A. Yes. Yes, it is.

3 **Q. Okay. You can continue from there. I**
4 **appreciate that.**

5 A. Well, I think coming out of the recent Texas
6 primary, we were able to add an additional district to
7 this. And then we have our Offensive Battlefield
8 Districts; and, you know, this is almost like -- if Red
9 to Blue was our top priority, then this is the next
10 priority.

11 **Q. It looks like you're trying to unseat a**
12 **Republican incumbent or claim an open seat that was**
13 **previously held by a Republican?**

14 A. Yes, exactly. And then our Expanded
15 Battlefield Districts. It is also a version of that,
16 kind of showing the priority.

17 And then there's just some helpful other
18 information here that may or may not be relevant to
19 Texas, remaining districts that were won by Hillary
20 Clinton but still held by Republicans. Democrats
21 running in districts that Trump won. Districts that
22 have Republican retirements this year or this cycle.
23 And then where we have battle stations, which are
24 offices -- that's what we like to call them -- and field
25 managers on the ground.

1 Q. Okay. Politics is a full-contact sport. So
2 you've got to get into the mindset. I get it.

3 It sounds like these categories are
4 listed in rough order of priority, seem to be. That was
5 my impression from how you were describing them. Is
6 that fair?

7 A. Yeah. I think, you know, kind of through the
8 expanded battlefield districts; and then those remaining
9 sections are more just information points.

10 Q. Got it.

11 And I think I have one more document that
12 I wanted to review with you, and that's DCCC 455. And
13 this is part of Exhibit 4, which is DCCC's document
14 production. And just let me know when you have that up.

15 A. 455?

16 Q. Yes.

17 A. Okay. I have that up.

18 Q. All right. And 455 is the first page of a
19 two-page document. Can you tell me what this document
20 is, please?

21 A. Sure. This is, I guess, a two-page memo, not
22 necessarily a one-pager, that overviews our member
23 programs, our member dues program, in particular. And
24 this is shared with members within our caucus and speaks
25 to how we recognize members who participate through

1 paying dues to the DCCC.

2 Q. Who are the members of the DCCC?

3 MS. BRANCH: Objection to the extent that
4 this calls for a legal conclusion.

5 But you may answer the question.

6 A. Yeah. I realize now that there's a very legal
7 definition for the term "member" that I can't
8 necessarily speak to; but in the DCCC's mind, our
9 members are members of -- Democratic members of Congress
10 that are in our caucus.

11 I think that "member" in kind of a
12 broader term, we also think about Democratic voters as a
13 whole who participate in any of our activities, whether
14 it's donating to us or volunteering or supporting and
15 voting Democratic. You know, those people who we see as
16 our constituents because we represent them also kind of
17 sometimes get thrown around as, like, a member; but,
18 really, it's our members of Congress.

19 Q. (BY MR. HILTON) Okay. And I'm not asking for
20 a legal definition. I understand you're not an
21 attorney. I'm trying to understand how DCCC uses that
22 term, I guess. And I understand that it's the members
23 of Congress and then, in a broader sense, the
24 constituents who are members of the Party. Which of --
25 which people would participate in the member dues

1 program?

2 A. The majority of our members participate in
3 this.

4 Q. And by that, you mean the Democratic --

5 A. Members of Congress.

6 Q. And then it has, I guess -- this document
7 describes -- like, is this tiers of membership or
8 different types of membership? Can you explain to me
9 what the DCCC Gavel Society, the Leadership Circle, and
10 Point Guards are?

11 MS. BRANCH: Objection to the extent that
12 it calls for privileged information.

13 But you can describe at a high level, and
14 you can certainly speak to what the document states.

15 MR. HILTON: And that's my question.

16 A. Yeah. What's laid out here is -- it is
17 basically levels of recognition for participating in
18 this program, yeah.

19 Q. (BY MR. HILTON) And how is it -- how do
20 you -- how does a member qualify for the Gavel Society
21 or the Leadership Circle or as a Point Guard?

22 A. That's a discussion with our member dues team.

23 Q. Is it based on, like, the amount of
24 fundraising that they contribute?

25 MS. BRANCH: Objection, First Amendment

1 privilege.

2 Jacqui, if this is something that's
3 publicly available or not internal to the D-Trip, you
4 can answer it.

5 But, otherwise, I'm going to instruct the
6 witness not to answer.

7 A. It has been publicly reported that members
8 generally can earn -- and this is kind of laid out in
9 the Point Guard section -- earn points for participating
10 in activities with the DCCC or through paying dues and
11 raising money for the committee.

12 **Q. (BY MR. HILTON) Are you withholding**
13 **information on the basis of your counsel's objection?**

14 A. No. That is basically it.

15 **Q. Okay. I appreciate that.**

16 **Is there any other way to get a DCCC**
17 **coffee mug, or do you have to get 150 points in the**
18 **Point Guard program?**

19 A. Sometimes asking nicely does end in a coffee
20 mug.

21 **Q. I'll keep that in mind. Do you have a coffee**
22 **mug?**

23 A. I do.

24 **Q. Do you have it handy? I'm kind of curious as**
25 **to what it looks like.**

1 A. I don't have it handy. I keep it at work
2 because it's, like, 24 ounces.

3 Q. Oh, I gotcha. Lots of late nights, I suppose,
4 at the DCCC, where you need a lot of coffee.

5 All right. Bear with me just one second.
6 Let me look at my notes here. I think this is about all
7 I have.

8 I appreciate your patience with the
9 technological issues, with going through these
10 documents, with kind of the mechanical nature of my
11 questions, and, you know, again, your patience with your
12 counsel and I while we discussed our disagreements.

13 I hope I've otherwise been professional
14 to you as we've gone through this.

15 And that reminds me, I should have asked:
16 On the two breaks that we took today -- I think it was
17 two, maybe three -- did you discuss the substance of
18 your testimony with anyone during those breaks?

19 MS. BRANCH: Objection to the extent that
20 this calls for attorney-client privileged information.

21 You can answer as to whether or not you
22 spoke with anyone, but you can't discuss the content of
23 the conversations.

24 A. I did check in with my counsel on the breaks.

25 Q (BY MR. HILTON) And did you discuss the

1 **substance of your testimony?**

2 MS. BRANCH: Objection, and I'm going to
3 instruct the witness not to answer.

4 MR. HILTON: Okay. I'll just note for
5 the record that I believe I'm entitled to that
6 information since the witness has been under oath all
7 this time.

8 Q. (BY MR. HILTON) All right. So I think the
9 last thing we need to do is turn back to Exhibit 1,
10 which is the Deposition Notice.

11 A. Okay.

12 Q. And I'd like to go to the last page of
13 Exhibit 1. That's the document request.

14 A. Okay.

15 Q. And I'd like to just kind of go through each
16 of these and make sure I understand -- or just have you
17 confirm again that we've gotten a full production.

18 So Document Request Number 1, did the
19 DCCC produce documents responsive to this request?

20 MS. BRANCH: Objection to the extent that
21 this calls for attorney-client and attorney work
22 product.

23 But, Jacqui, if you are able to answer,
24 you may.

25 A. Yes, I believe we've turned over everything

1 that we could here.

2 Q. (BY MR. HILTON) Okay. And when you say "we
3 could," I assume you're referring to your counsel's
4 privilege -- her objection related to privilege?

5 MS. BRANCH: Objection, attorney work
6 product, attorney-client privilege. I think the record
7 speaks for itself on that.

8 You're inquiring about whether we
9 instructed -- or, you know, how we put together the
10 production and our discussions about asserting the First
11 Amendment privilege, which I think is a conversation
12 itself that is privileged.

13 MR. HILTON: I'm sorry. Let me clarify
14 my question.

15 Q. (BY MR. HILTON) Ms. Newman, you said that you
16 thought you'd turned over all the documents that you
17 could; and I'm trying to understand what you meant by
18 "you could." And I'm assuming that it's related to the
19 privilege objection; and if so, I think that's the end
20 of my questioning. But if there's something else that
21 you're referring to, that's what I was trying to find
22 out.

23 MS. BRANCH: You may answer that
24 question, Jacqui.

25 A. Yeah. Yes.

1 Q. (BY MR. HILTON) So when you said you turned
2 over all the documents you could, that was in reference
3 to the privilege issues?

4 A. Yes.

5 Q. Okay. That's all I was trying to ask. And,
6 again, I am not trying to ask for attorney-client
7 privileged information.

8 Were documents withheld that would
9 otherwise be responsive to this request?

10 MS. BRANCH: Again, I'm going to object
11 on the basis of attorney work product and attorney-
12 client privilege; and I'm going to instruct the witness
13 not to answer that.

14 Q. (BY MR. HILTON) Do any other documents exist
15 in the possession of DCCC that would substantiate the
16 factual allegations of Paragraphs 13 and 29 to 35 of
17 your Complaint?

18 MS. BRANCH: You can answer that,
19 Ms. Newman.

20 A. Hold on. I just want to look at the
21 Complaint.

22 Q. (BY MR. HILTON) Yeah, of course. Please take
23 your time. Of course.

24 A. Can you remind me which --

25 Q. Exhibit 2.

1 A. Thank you. You said Paragraphs 13 to...

2 Q. 13 and 29 through 35. That's what's in the
3 document request. And so I'm just trying to understand
4 from you whether there are any documents that exist that
5 would substantiate the factual allegations in these
6 paragraphs that have not been produced to us. I'm just
7 asking about the existence of such documents.

8 A. I believe we've turned over all the documents
9 we could produce here.

10 Q. Okay. Great.

11 Number 2. Number 2 on Exhibit 1, on the
12 last page, the second document request, did DCCC produce
13 documents responsive to this request?

14 A. Yes.

15 Q. Okay. Are any -- do any documents exist that
16 would be responsive to this request that were not
17 produced?

18 A. I'm sorry. What number are we looking at now?

19 Q. This is Document Request Number 2, which is on
20 the last page of Exhibit 1, which is the Deposition
21 Notice.

22 I'm sorry. I haven't found a better way
23 to do this in my career; and it's hard and kind of
24 mechanical, but I just need to wrap -- you know, put a
25 bow on the document.

1 A. To my knowledge, we did not withhold anything
2 related to this. I believe we've turned over everything
3 we could. It might shock you to learn that the majority
4 of our conversations are just sending press clips back
5 and forth to one another.

6 **Q. That was a little surprising, actually,**
7 **because that was the bulk of the production. I'm not**
8 **trying to ask for anything privileged or strategic, but**
9 **I'm just kind of curious as to why that is. I mean,**
10 **it's just such a foreign kind of work flow to me. I'm**
11 **curious as to why that constitutes most of your**
12 **communications.**

13 A. I think that is -- you know, press clips are
14 really the best way to guide what our strategy is and
15 what's happening on the ground in all of these
16 districts. You know, keep in mind, we're kind of
17 looking at a 30,000-foot view of, you know, 30 to 50
18 districts across the country; and so we're constantly up
19 to date on what's happening there, what issues are
20 arising in the districts, and how they might relate to
21 the Congressional campaigns in those districts.

22 **Q. Okay. I appreciate that. It's always**
23 **interesting. That's one of the things I like about my**
24 **job is I get insight into how other people do their**
25 **jobs. I appreciate that.**

1 So if I understand you correctly, you
2 have produced documents responsive to Request Number 2
3 and that no other documents exist that would otherwise
4 be responsive?

5 MS. BRANCH: I'm going to object just on
6 the -- you know, the use of the term "responsive" and
7 the legal conclusions and legal background associated
8 with that term.

9 But, Jacqui, to the extent that you can
10 answer based on your knowledge, you may.

11 A. Yes, I believe so.

12 Q (BY MR. HILTON) Number 3. Has DCCC produced
13 all the documents responsive to Number 3?

14 A. I believe we've produced documents that speak
15 to these topics as long as they don't conflict with our
16 strategy and attorney-client privilege.

17 Q. So that was my next question, privilege
18 assertions...

19 MS. BRANCH: Same objection, attorney
20 work product, attorney-client privilege. The decision
21 on --

22 THE WITNESS: Did we just lose him?

23 MS. BRANCH: Oh, I think we did.

24 THE VIDEOGRAPHER: It appears that he did
25 drop out of the meeting.

1 THE REPORTER: We're going off the record
2 at 1:48 p.m.

3 (Off the record from 1:48 to 1:48 p.m.)

4 THE REPORTER: We're back on the record
5 at 1:48 p.m.

6 MR. HILTON: All right. I'm sorry about
7 that. Literally my last handful of questions, and my
8 Internet connection's going out on me here.

9 Q (BY MR. HILTON) So I think my question was,
10 for Number 3, whether documents have been withheld on
11 the basis of privilege assertion.

12 MS. BRANCH: And I have an objection on
13 that because the decision to withhold is attorney work
14 product, and it was made by us. So I'm going to
15 instruct the witness not to answer that.

16 MR. HILTON: Okay. So I just want to
17 know whether any documents at all have been withheld,
18 and you're instructing Ms. Newman not to answer that
19 question?

20 MS. BRANCH: Yes. I think she's also
21 testified to this multiple times throughout the
22 deposition.

23 MR. HILTON: Be that as it may, with
24 respect to Number 3, you're instructing her not to
25 answer whether any documents are being withheld?

1 MS. BRANCH: Correct.

2 MR. HILTON: Okay.

3 Q. (BY MR. HILTON) With respect to Request
4 Number 3, other than what's been included in the
5 production, do any other documents exist that would show
6 the information described or requested in the listed
7 deposition topic numbers?

8 MS. BRANCH: Objection, attorney work
9 product, attorney-client privilege.

10 You may answer the question if you know
11 the answer.

12 A. Yes.

13 Q. (BY MR. HILTON) And some documents exist that
14 would otherwise be response to Number 3 that have not
15 been produced to us?

16 MS. BRANCH: Objection. Same objection.
17 I'm going to instruct the witness not to answer. I
18 think this is the same question, just kind of in a
19 different phrase.

20 MR. HILTON: I'm sorry. I thought it
21 was -- I'm trying to -- I mean, with respect,
22 Ms. Branch, I think that I have the right to know
23 whether documents have been withheld.

24 I'm not, even at this point, asking for a
25 privilege log, which I also think I'm entitled to. I

1 just want to know if other documents exist because if
2 they don't, then I don't think we have anything to
3 quarrel about.

4 So you're instructing the witness not to
5 answer the question of whether documents exist that have
6 not been produced?

7 MS. BRANCH: So I think that that's a
8 conversation that you and I can have; but I think that
9 whether not documents exist on these topics, like, that
10 reflects -- the answer that she's going to give is going
11 to reflect our conversations. And so that is my basis
12 for the objection.

13 MR. HILTON: I'm sorry. I just don't
14 understand.

15 Q. (BY MR. HILTON) I just want to know if
16 documents exist that would be responsive to Number 3.

17 MR. HILTON: And I'm asking Ms. Newman.
18 And if you're going to let her answer, I'd like to know
19 the answer; and if not, then we move on.

20 MS. BRANCH: I am going to instruct the
21 witness not to answer.

22 Q. (BY MR. HILTON) Are you going to follow that
23 instruction, Ms. Newman?

24 A. Yes.

25 Q. With respect to Document Request Number 4, did

1 **DCCC produce documents responsive to this request?**

2 A. I believe we did.

3 **Q. Okay. You can refer to Exhibit 4 and double-**
4 **check if you are uncertain.**

5 A. I don't know, then.

6 **Q. So you don't know whether documents responsive**
7 **to Request Number 4 have been produced?**

8 A. I mean, this -- a lot of this is public
9 information that I think you've shown or gone over in
10 other parts of this discussion.

11 **Q. Okay.**

12 MR. HILTON: I'm going to object to that
13 answer as nonresponsive.

14 **Q. (BY MR. HILTON) I just want to know if it's**
15 **included in DCCC's production.**

16 MR. HILTON: I'm sorry. It looks like
17 I'm having a technical issue again. Was there an
18 answer?

19 THE REPORTER: There wasn't an answer
20 that I heard.

21 A. I mean, we've produced what we have.

22 **Q. (BY MR. HILTON) That's responsive to**
23 **Number 4?**

24 A. Yes.

25 **Q. Okay. So no other documents exist that would**

1 be responsive to Number 4 other than what we've
2 discussed today and that's included in the production?

3 MS. BRANCH: Same objection. And I just
4 want to note, Chris -- and this might be a discussion
5 for offline -- but the subpoena clearly states that it
6 seeks only the minimum number of documents sufficient to
7 show the information. So the fact that things are being
8 withheld is in compliance with the subpoena. Whether or
9 not they're being held on the basis of the First
10 Amendment privilege, though, is an attorney work product
11 and a privileged conversation. So that's my objection
12 to the line of questioning.

13 MR. HILTON: I appreciate that. I am
14 trying to ask both things. Okay? I'm trying to
15 understand whether documents have been withheld on the
16 basis of privilege and I'm trying to understand whether
17 other documents exist that would otherwise be responsive
18 but have not been produced because they were not
19 necessary to be produced because of how we drafted our
20 subpoena.

21 MS. BRANCH: I think all of that is
22 attorney work product and strategic decisionmaking on
23 the part of Ms. Newman's attorneys, and I'm going to
24 instruct the witness not to answer.

25 MR. HILTON: Okay. And, Ms. Branch, in

1 case I'm being unclear, I'm not asking for the substance
2 of any communication. I'm not asking for the substance
3 of any documents. I'm not even asking for how many
4 documents at this point. I'm just asking whether such
5 documents exist, and you're claiming that's privileged
6 information?

7 MS. BRANCH: I think she can answer the
8 question as to whether additional documents exist, but
9 the basis upon which they were withheld is attorney work
10 product. That reflects our strategic decisionmaking.
11 So I don't -- I mean, I don't think that was the
12 question on the table. If the question is, "Are there
13 additional documents that exist within the DCCC on this
14 topic," she can answer that. But we can't -- she can't
15 answer why they were or were not produced.

16 MR. HILTON: Debbie, can you read back my
17 last question?

18 THE REPORTER: Okay.

19 (The requested material was read as
20 follows:

21 "QUESTION: So no other documents exist
22 that would be responsive to Number 4 other than what
23 we've discussed today and in the production?")

24 THE REPORTER: Is that the question you
25 were looking for?

1 MR. HILTON: That's exactly it.

2 MS. BRANCH: And that's with respect to
3 Number 4?

4 MR. HILTON: I think that's what Debbie
5 just read back, yes.

6 MS. BRANCH: You can answer that, Jacqui.

7 A. Yes, I think other documents exist; but we've
8 produced what we've needed to to answer this request.

9 Q. (BY MR. HILTON) Let me ask you about that,
10 actually. Currently on the DCCC's website there are a
11 number of job openings posted; is that right?

12 A. Yes.

13 Q. And it's dccc.org/jobs, and it has a bunch of
14 jobs listed. And if you click those jobs, it brings you
15 to a job description. Are you familiar with what I'm
16 talking about?

17 A. Yes.

18 Q. And did you produce job descriptions for
19 current employees?

20 A. I don't believe so.

21 Q. Okay. Do job descriptions for current
22 positions in DCCC exist?

23 A. Mostly.

24 I'm sorry. If you were talking, I just
25 heard nothing.

1 Q. I'm sorry. Did you produce all documents that
2 you reviewed in preparation for your deposition?

3 A. I'm sorry. Can you ask that again?

4 Q. Did DCCC produce all documents that you
5 reviewed in preparation for this deposition?

6 A. I believe so.

7 Q. Would you like to check the production?

8 A. I mean, I think there are some documents in
9 here that come from...

10 Yes, I believe we did.

11 MR. HILTON: And, Ms. Branch, you're not
12 going to allow the witness to answer whether documents
13 were withheld on the basis of privilege with respect to
14 any of these requests?

15 MS. BRANCH: No. I think that that is a
16 conversation that reflects our privileged discussions;
17 and, frankly, I don't know that she knows. She's not a
18 lawyer.

19 MR. HILTON: Well, if that's her answer,
20 then I don't really know why we're fighting about it.

21 MS. BRANCH: Can we have a discussion
22 about this separately? I think that Jacqui, Ms. Newman,
23 has answered a lot of the questions related to the
24 production to the best extent of her knowledge; but I
25 don't want to get into a situation where she's talking

1 about strategic decisions that attorneys made. And she
2 honestly probably can't testify to those, anyway; but
3 they would reflect our conversations, which I think we
4 both agree are privileged.

5 MR. HILTON: Okay. I'm not asking about
6 privileged conversations. I'm not asking about any
7 strategic determinations. You've put forth Ms. Newman
8 as a 30(b)(6) representative for the DCCC to speak on
9 behalf of the documents produced in response to the
10 subpoena. And so, you know, I'm just not asking for
11 privileged information. And she has a duty to be
12 prepared as to these topics.

13 Ms. Newman, this is not a reflection on
14 you at all.

15 But I'm going to object to this witness
16 being insufficiently and inadequately prepared for this
17 deposition today as to a number of topics. I'm also
18 going to object to insufficient document production.
19 You're not even letting me explore the ways in which it
20 was insufficient, so I don't even know the depth of the
21 insufficiency.

22 I'm going to object to your failure to
23 provide a privilege log, your failure to disclose
24 whether documents have even been withheld on the basis
25 of a privilege.

1 And I'm going to object to your improper
2 instructions not to answer and your improper objections
3 throughout this deposition.

4 On the basis of that, we're going to hold
5 this deposition open. We reserve the right to seek
6 whatever relief is appropriate.

7 And I truly hope we can work something
8 out offline with each other because I don't think this
9 should be that difficult. I'm truthfully not trying to
10 get privileged information. I have no interest in
11 attorney-client privileged information. And to the full
12 extent that you have a privilege, an associational
13 privilege, you know, you have a privilege; but you're
14 not even giving me the basic information to begin to
15 evaluate it. And so I just -- I think this entire
16 deposition could have been a lot smoother.

17 And I'm sorry, Ms. Newman, that it was so
18 difficult in spots.

19 But there's a lot of information here
20 that I believe I'm entitled to that you're not allowing
21 the witness to testify to. So on that basis --

22 MS. BRANCH: I did want --

23 (Simultaneous speakers.)

24 MR. HILTON: You can respond; but I'd
25 like to finish, please.

1 On that basis, we're going to hold the
2 deposition open.

3 Ms. Newman, I don't have anything else
4 for you.

5 And I pass the witness.

6 MS. BRANCH: I do want to just respond on
7 the record to counsel's objections. We have covered
8 each of the 30(b)(6) deposition topics that were Noticed
9 here; and Ms. Newman, I believe, has testified to each
10 one of them. She was prepared for the deposition.

11 In response to the document request, the
12 subpoena specifically states that it seeks only the
13 documents necessary to substantiate the allegations or
14 to provide the minimum number of documents sufficient to
15 show information responsive to each of the requests; and
16 the DCCC's production has satisfied that.

17 We've also tried to point you to public
18 information related to each of these topics. Because
19 the DCCC is a national party committee, for instance,
20 they are required to publicly report all of their
21 funding sources, which is -- that was requested in Topic
22 Number 3; and there's a request related to that. If the
23 DCCC were to produce every single document related to
24 all its funding sources, we would have given you, like,
25 mountains and mountains of paper.

1 So I think that our document production
2 responded to the topics in accordance with the subpoena
3 instructions which asked for the minimum number of
4 documents. I am happy to discuss whether there are more
5 documents that, you know, we could try to negotiate
6 over; but I'm not going to -- I do not agree with the
7 objection that the witness was inadequately prepared or
8 that the subpoena -- the production in response to the
9 subpoena was inadequate. I'm happy to meet and confer
10 about that.

11 I've tried to be as open as possible
12 about it; but, you know, you're recognizing the
13 associational privilege that the DCCC has; and we have
14 asserted that. We've also produced the minimum number
15 of documents on each of the topics that are not
16 privileged.

17 And the witness doesn't know which
18 documents are privileged and which are not. So I don't
19 think that's an appropriate line of questioning. My
20 objections were not to block the witness -- or block you
21 from getting information from the witness, but rather,
22 to protect the privilege.

23 MR. HILTON: I disagree with all your
24 characterizations. I think we understand each other's
25 positions. Hopefully, we can work it out; and if not,

1 we'll see what the Court has to say about it. But my
2 objection stands.

3 And, again, Ms. Newman, this is not a
4 reflection on you. And I appreciate your time today
5 answering my questions.

6 THE REPORTER: Ms. Branch, do you have
7 any questions of the witness?

8 MS. BRANCH: I do not.

9 THE REPORTER: Are you ordering a copy of
10 the transcript?

11 MS. BRANCH: Yes.

12 THE REPORTER: All right. Thank you.
13 We're going off the record at --

14 MS. BRANCH: And we'd --

15 THE REPORTER: -- 2:05 p.m.

16 MS. BRANCH: -- like to read and sign as
17 well.

18 (Deposition recessed at 2:05 p.m.)

19 --ooOoo--

20

21

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PAGE/LINE	CHANGE	REASON
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[illegible]

1 I, JACQUELINE NEWMAN, have read the
2 foregoing deposition and hereby affix my signature that
3 same is true and correct, except as noted herein.

4
5 _____
6 JACQUELINE NEWMAN
7

8 THE STATE OF _____)

9 Before me, _____, on
10 this day personally appeared JACQUELINE NEWMAN, known to
11 me (or proved to me under oath or through
12 _____) (description of identity card or other
13 document) to be the person whose name is subscribed to
14 the foregoing instrument and acknowledged to me that
15 they executed same for the purposes and consideration
16 therein expressed.

17 Given under my hand and seal of office on
18 this _____ day of _____, _____.

19
20
21 _____
22 NOTARY PUBLIC IN AND FOR

23 THE STATE OF _____

24 My Commission Expires: _____
25

1 STATE OF TEXAS)

2 REPORTER'S CERTIFICATION

3 I, DEBBIE D. CUNNINGHAM, CSR, hereby
4 certify that the witness was duly sworn and that this
5 transcript is a true record of the testimony given by
6 the witness.

7 I further certify that I am neither
8 counsel for, related to, nor employed by any of the
9 parties or attorneys in the action in which this
10 proceeding was taken. Further, I am not a relative or
11 employee of any attorney of record in this cause, nor am
12 I financially or otherwise interested in the outcome of
13 the action.

14 Subscribed and sworn to by me this day,
15 May 11, 2020.

16
17
18 

19
20 Debbie D. Cunningham,
Texas CSR 2065

Expiration: 6/30/2021

21 INTEGRITY LEGAL SUPPORT SOLUTIONS

P.O. Box 245

22 Manchaca, Texas 78652

www.integrity-texas.com

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